

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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AMY MISCHLER )  
1120 Palm Court )  
Okeechobee, Florida 34974 )  
Plaintiff, ) Case: 1:19-cv-02937  
v. ) Assigned To : Chutkan, Tanya S.  
U.S. DEPARTMENT OF JUSTICE, ) Assign. Date : 10/1/2019  
950 Pennsylvania Avenue, NW ) Description: FOIA/Privacy Act (I-DECK)  
Washington, DC 20530-0001 )  
ATTORNEY GENERAL WILLIAM BARR )  
U.S. DEPARTMENT OF JUSTICE )  
Official Capacity )  
950 Pennsylvania Avenue, NW )  
Washington, DC 20530-0001 )  
LEEANN VEATCH )  
Administrative Assistant to )  
Kentucky Governor Matt Bevin )  
Official Capacity )  
444 North Capitol Street, Suite 380 )  
Washington, D.C. 20019 )  
KELLY KNIGHT CRAFT )  
Ambassador )  
United States Mission to the United Nations )  
799 United Nations Plaza )  
New York, NY 10017 )  
Official Capacity )  
Defendants. )  
)

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**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

**INTRODUCTION**

1. This complaint is about the United States Department of Justice [DOJ] ignoring and participating in criminal conduct in the Commonwealth of Kentucky. In 2018, the DOJ sent F.B.I. Special Agent Shane Baumgartner to the Plaintiff's Florida home to intentionally violate the Hobbs Act on behalf of the Kentucky political allies of President Donald Trump.

2. Subsequently, the Department of Justice is constructively denying documents requested in FOIA by delaying delivery until 2021 until after the civil statute of limitations has passed to file suit against Agent Baumgartner and others involved in criminal and civil liable conduct.

3. Further, Ambassador Kelly Knight Craft is involved in a related federal judicial bribery scheme involving Kentucky Governor Matt Bevin, Judge Greg Van Tatenhove, and Christy Trout to ensure a constructive repeal of the Affordable Care act through a waiver presumed to be filed and assigned to Judge Van Tatenhove. Ms. Mischler's standing regarding this matter is that her case 17-cv-66 [EDKY] was caught up in the judicial bribery scheme and she suffered harm through EDKY refusing to enforce the default judgement against Kentucky DCBS employees and Governor Bevin.

### **COMPLAINT**

4. Plaintiff Amy Mischler [Ms. Mischler] brings this action against the U.S. Department of Justice [DOJ] and Attorney General William Barr [A.G. Barr] under the Freedom of Information Act, 5 U.S.C. § 522 (FOIA), and the Declaratory Judgment Act, 28 USC, §§ 2201 and 2202, seeking declaratory and injunctive relief to compel compliance with the requirements of FOIA, 18 U.S.C. §1584, 34 U.S. Code § 12361, 34 U.S.C. §12291 (13), and declaratory rulings against the DOJ and AG Barr for failing to provide equal protection of the law to protect Ms. Mischler from unlawful actions of Commonwealth of Kentucky actors.

5. Defendants Ambassador Craft and Veatch are participants in the Kentucky judicial bribery scheme that prompted the Hobbs Act violation by the DOJ. Both are subject to the jurisdiction and the venue of this Court.

**JURISDICTION AND VENUE**

6. This Court has jurisdiction over this action pursuant to 5 U.S.C. §552(a)(4)(B) and 28 U.S.C. §§ 1331, 2201, and 2202.

7. Venue is proper in this district pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e).

8. Because Defendant DOJ has failed to comply with the applicable time-limit provisions of the FOIA, Ms. Mischler is deemed to have exhausted her administrative remedies pursuant to 5 U.S.C. § 552(a)(6)(C)(i) and is now entitled to judicial action enjoining the agency from continuing to withhold agency records and ordering the production of agency records improperly withheld.

9. Defendant Attorney General Barr has failed a timely response to her request for redress of grievances received May 14, 2019. Defendant HHS wrote “*IF a response . . is necessary*” that *it would be sent to Ms. Mischler 60 days from receipt*. HHS letter was sent from this venue, ZIP CODE 20530.

10. Defendant Veatch is subject to this jurisdiction and venue with her actions taking place in the District of Columbia.

11. Defendant Craft is subject to this jurisdiction and venue having spent a substantial portion of her time in the District of Columbia instead of her former assigned workspace in Canada

according to her testimony before Congress during her confirmation hearing on nomination as the United States Ambassador to the United Nations.<sup>1</sup>

12. The subject of Defendant Craft utilizing her private jet for official business in footnote 1 of this complaint is highly relevant. Ms. Mischler will allege that Defendant Craft used free flights as part of a payment in federal judicial bribery scheme known to the DOJ.

### **PARTIES**

13. Plaintiff Amy Mischler is a citizen of the United States; domiciled in Florida at 1120 Palm Court Okeechobee Florida since December 2010. She has requested the DOJ to address a public corruption/discrimination against women crisis in Kentucky since 2007.

14. Defendant U.S. Department of Justice (DOJ) is a department of the executive branch of the U.S. Government headquartered in Washington, D.C., and an agency of the Federal government within the meaning of 5 U.S.C. §522(f)(1). Defendant DOJ has possession, custody and control of the records that Ms. Mischler is seeking.

15. Defendant DOJ plans to withhold the records until June 2021 to protect the public from discovering that the DOJ and its employees intentionally violated the Hobbs act to cross state lines to threaten Ms. Mischler with a impossible criminal allegation and then induce Ms. Mischler to give documents in her possession so the DOJ could forward the documents to Kentucky Governor Matt Bevin for use in a civil litigation between Gov. Bevin and Ms. Mischler.

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<sup>1</sup> <https://foreignpolicy.com/2019/06/19/dems-grill-trumps-u-n-nominee-over-ottawa-absences-kelly-knight-craft-confirmation-nomination-hearing-senate-foreign-relations-united-nations-diplomacy/> “*Republican lawmakers rallied to her defense, saying that her travel often included trips to Washington, D.C., for official business, including U.S. trade talks with Canada as part of negotiations for a joint trade agreement with Mexico. They noted that she paid for her own travels on a private jet, saving U.S. taxpayers a significant chunk of change in commercial air tickets*”.

16. Defendant Attorney General William Barr is the Attorney General of the Department of Justice [DOJ]. He is responsible for administering Defendant DOJ. He further is responsible for denying Ms. Mischler redress of grievances through his proxy Assistant Attorney General Eric S. Dreiband in charge of the Defendant DOJ Civil Rights Division.<sup>2</sup>

17. The documents withheld by Defendant DOJ will show DOJ has been willfully blind to public corruption/discrimination against women in Kentucky, that DOJ has willfully allowed Kentucky discriminate against women through the Violence Against Women Act court programs, and the conspirators names of who sent FBI Special Agent Shane Baumgartner to Ms. Mischler's home on July 3rd, 2018.

18. Further, Ms. Mischler believes that the withheld documents in DOJ possession will show defamatory and untrue statements by Kentucky officials to Federal Officials concerning her.<sup>3</sup> This includes mendacities about alleged court proceedings with which Kentucky has never served upon her and that she has committed child abuse.

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<sup>2</sup> Ms. Mischler has been told her May 2019 notice/administrative complaint to Defendant Attorney General Barr was sent to the Civil Rights Division by the Mail Referral Unit.

<sup>3</sup> Until October 2018, Ms. Mischler suspected but did not have enough to allege that Kentucky was holding out to Federal and State officials that the Kentucky courts had brought parental termination court proceedings against her. KY Attorney General stated as such in pleadings to the 6<sup>th</sup>. Circuit Court of Appeals. Ms. Mischler has never been served with such a proceeding.

**COUNT I**

**DECLARATORY RULING THAT DEFENDANTS A.G. BARR, DOJ, AND LEEANN VEATCH VIOLATED THE HOBBS ACT [18 U.S. Code § 1951]**

**FACTS**

19. August 2017: Ms. Mischler filed a lawsuit against Kentucky Governor Matt Bevin regarding Kentucky keeping falsified and defamatory DCBS records that said Ms. Mischler was a child abuser. This is 17-cv-66 [EDKY]. See Exhibits 1, 6 through 12.

20. September 2017: Federal Judge Greg Van Tatenhove, having an undisclosed conflict of interest presiding over any case involving Gov. Bevin refused to hear Ms. Mischler's motion to require Kentucky to preserve her original DCBS records for the lawsuit.

21. December 12, 2017: Kentucky Governor Matt Bevin traveled to Johnson County DCBS office in Kentucky to ensure that all of Ms. Mischler DCBS records were destroyed and that the witnesses/defendants at the office would not cooperate with Ms. Mischler. This is blatant obstruction of justice. Witnesses include Susan Howard, Deborah Webb whose work location is the Johnson County DCBS office in Paintsville Kentucky. See Exhibit 1, Exhibit 7 last page, Exhibit 12, last page.

22. December 12, 2017: Governor Matt Bevin memorialized this visit on twitter.



23.

24. 2007: SRA Susan Howard for the region stationed at Johnson County DCBS told Ms. Mischler that she had no open cases and no substantiations of child abuse against her. Ms. Mischler moved to Florida 2010. See Exhibit 1, Exhibit 10, Findings reverse per CAPTA.

25. 2016: Ms. Mischler received a document showing that the SRA Howard had lied to Ms. Mischler about closing cases and had kept two cases open as late as 2016 to commit fraud of 42 U.S.C. 5106a to receive federal funding. See Exhibit 1. Kentucky was claiming to ACF in HHS that Ms. Mischler was receiving services while she had been living in Florida for years.<sup>4</sup>

26. June 28, 2018: Defendant LeeAnn Veatch contacted Ms. Mischler on Facebook. Defendant Veatch insinuated that Ms. Mischler was in criminal trouble and that Kentucky had no DCBS records on Ms. Mischler. These documents can be provided to the Court if necessary.

27. June 28, 2018: Ms. Mischler told Defendant Veatch that she had copies of her DCBS records. Veatch told her Gov. Bevin that Ms. Mischler had copies of the DCBS documents.

28. July 3, 2018: DOJ employee FBI Special Agent Shane Baumgartner out of the Fort Myers Florida FBI post, with another individual CLAIMING to be an FBI Agent came unannounced to Ms. Mischler's home at 1120 Palm Court, Okeechobee Florida 34974.

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<sup>4</sup> Ms. Mischler's DCBS documents are confusing and contradicting. The case file is not listed per her social security number but an identifying number. Thus, the belief is that Kentucky has assigned Ms. Mischler multiple identifying numbers in order to show documents to Ms. Mischler that she had no case files open and no substantiations under one identifying number but had open cases and substantiations under the other identifier number of which was never served upon her nor was she give due process notice; like an dirty accountant who has two set of books. See Exhibit 1, 6 through 12.

29. July 3, 2018: Upon information and belief the second man accompanying Agent Baumgartner is believed to be a Kentucky State Police trooper and employee of Gov. Bevin.

30. July 3, 2018: Agent Baumgartner alleged without using the word blackmail, that Ms. Mischler was blackmailing Judge Greg Van Tatenhove in Kentucky over the conflict of interest between Judge Van Tatenhove and Governor Bevin.

31. July 3<sup>rd</sup>, 2018: Ms. Mischler explained it was impossible to be blackmailing [disclosing] Judge Van Tatenhove over information she had already made public in official court records. Further, Ms. Mischler had also made it public on twitter months before.

**Joe Gerth** • @Joe\_Gerth • 8 Mar 2018  
It seems like every time @GovMattBevin goes to the West End, he pulls a Barney Fife and shoots himself in the foot. He did that yesterday.

What did Matt Bevin accomplish at his two-hour ...  
Gov. Matt Bevin's West End meeting seemed to be pointless. Maybe we should support those already working to save Louisville's poorest neighborhoods.  
courier-journal.com

5 5 22

**Amy Mischler** • @pikecoinjustice

Replying to @Joe\_Gerth @GovMattBevin

**Joe R U gonna look into that conflict of interest with Judge Greg Van Tatenhove/Matt Bevin/Christy Trout/medicaid waiver case [KY]/17-cv-66 [EDKY] case filed before waiver case? It's another Barney Fife Bevin clusterFuknowwhat. @realDonaldTrump @PastorDScott**

11:11 AM - 8 Mar 2018

32.

33. July 3, 2018: The other man believed to be a Kentucky State Police trooper employed by Gov. Bevin then asked Ms. Mischler to compile all her documents in a folder and give them to the Fort Myers FBI Office as if he didn't work at that office.

34. May 14, 2019: Defendant A.G. Barr received Ms. Mischler's complaint about Agent Baumgartner and was told by the Mail Room that if a response by Defendant DOJ was necessary it would be sent to Ms. Mischler 60 days of May 14, 2019. See Exhibit 5, page 3.

35. Neither Defendants DOJ or A.G. Barr have responded to Exhibits 3, 4, or 5.

36. Defendant DOJ will not give over documents to identify the name of the second man in a FOIA and plans not to do so until June 2021 to protect exposure that DOJ employees are engaging in criminal conduct for a political purpose.

#### *ALLEGATION*

37. Under color of law, FBI Agent Baumgartner went to Ms. Mischler's home, threatened her with a false, baseless allegation that she was blackmailing Kentucky Judge Greg Van Tatenhove, in order to intimidate Ms. Mischler so the unknown man accompanying Baumgartner could attempt to extort Ms. Mischler's DCBS documents from her through inducement of threatening a malicious federal prosecution against her.

38. The conspiracy to unlawfully obtain Ms. Mischler's DCBS documents under color of law crossed multiple state lines, including Defendant Veatch in Washington D.C., to Kentucky which ended up with Agent Baumgartner and the unknown man at Ms. Mischler's Florida home.

39. The DCBS documents in Ms. Mischler's possession are her personal property and copies of the originals which Kentucky destroyed in Kentucky's possession.

40. Defendant DOJ and Defendant A.G. Barr knew at the time or after the time and their failure to take action to provide administrative First Amendment Redress of Grievances to Ms. Mischler's is the furtherance of the conspiracy after the fact to violate the Hobbs Act [18 U.S. Code § 1951].

## COUNT II

### DEFENDANTS DOJ AND AMBASSADOR CRAFT CONSPIRED TO COMMIT OBSTRUCTION OF JUSTICE TO ENSURE CONSTRUCTIVE REPEAL OF THE AFFORDABLE CARE ACT

#### FACTS

41. President Trump promised he would repeal the Affordable Care Act. After the repeal failed; Defendant DOJ, Defendant Craft, non-parties Gov. Bevin, Health and Human Employees Eric Hargen and Seema Verma conspired to constructively repeal the Affordable Care Act through a waiver process to certain states. One of those states is the Commonwealth of Kentucky.

42. To ensure the waiver would not be overturned in Court; Gov. Bevin, Defendant Amb. Craft bribed Judge Greg Van Tatenhove through employing his paramour Christy Trout with “perks” of free travel, outside employment, no requirement to show up for work at KY.

43. Upon information and belief, Judge Van Tatenhove traveled with Trout including a Kentucky funded Hawaii trip with travel and accommodations as gifts from Defendant Amb. Craft.



45. DOJ employees involved in the obstruction of justice are Chad A. Readler, Ethan P. Davis, Joel McElvain, Deepthy Kishore, Bradley H. Cohen who attempted to transfer 1:18-cv-00152-JEB (DC District) to 3:18-cv-00008-GFVT where bribed Judge Greg Van Tatenhove would have ruled in favor of the Trump administration and Gov. Bevin.

46. The bribery scheme was set up by Chief Judge Karen Caldwell, who supervised Trout as a law clerk for Judge Van Tatenhove. Judge Caldwell's local rules required all Frankfort Division Civil Cases assigned to Judge Greg Van Tatenhove. Frankfort is the principal place of business of Gov. Bevin. As concluded in footnote 4, Document 6, page 20 of 32, of 1:18-cv-00152-JEB (DC District); the case was anticipated to be filed in Frankfort KY and not D.C.

47. The scheme failed because Judge Van Tatenhove was ruling in favor of Gov. Bevin in ALL CASES, outside of the rule of law which caused Ms. Mischler to research, discover, and expose the undisclosed conflict of interest.

48. The undisclosed conflict of interest became obstruction of justice when Judge Van Tatenhove and those covering up for him; when the Courts denied Ms. Mischler default judgment, she is entitled to against Gov. Matt Bevin and other defendants.

49. Gov. Bevin was served on 10/24/2017. His answer was due on 11/14/17. He didn't file an answer until 11/28/17. See case 17-cv-66 (EDKY) docket entries 12, 30.

50. Gov. Bevin's attorney, David Brent Irvin also represented Emily Gray Jones, Shereena Hamilton Spurlock, Zack Ousley, and Deborah Webb sued for monetary damages. Judge Van Tatenhove's granted Gov. Bevin's attorney FORTY FIVE ADDITIONAL DAYS beyond the civil rules to file an answer for Jones, Hamilton-Spurlock, Ousley, and Webb on 1/4/17. Gov. Bevin's attorney still failed to file a timely answer for these defendants by 2/20/17. Gov. Bevin's attorney

filed an out of time motion to dismiss for these defendants 2/23/17. See case 17-cv-66 (EDKY) docket entries 45, 51, 59, 52.

51. David Brent Irvin is an attorney in the General Counsel of the Cabinet for Health and Family Services which applied for the waiver contested in 1:18-cv-00152-JEB (DC District). He knew about the bribe to Judge Van Tatenhove and was not worried about filing a timely answer.

52. The Sixth Circuit Court of Appeals refused to acknowledge the conflict of interest in case 17-cv-66 (EDKY) or that defendants were in default.

53. The monetary damages against the defendants could be worth millions because they created falsified child abuse substantiations that were turned over to the child custody evaluator between Ms. Mischler and her ex husband. The child custody evaluator relied on the DCBS records to state that she believed Ms. Mischler was mentally ill because Ms. Mischler distrusted DCBS. Specifically Exhibit 11 which is confidentially prohibited to Ms. Mischler, given to her by mistake because it is her ex husband DCBS record though it summarizes her records.

54. October 2018: Gov. Bevin said Ms. Mischler was never put on the KY child abuse list [substantiation is automatically placed on list] and insinuated that Ms. Mischler was mentally ill to the Sixth Circuit Court of Appeals based on the child custody evaluator's report, which was based on the DCBS records, which Gov. Bevin also said did not exist.

55. Exhibit 1 created February 12, 2016 states that Ms. Mischler had four total cases with KY DCBS dated event (opened) 8/17/2007, 10/18/2006, 8/27/2002, 8/19/2002. Prepared by SRA Susan Howard. See paragraphs 22 through 25 this complaint. Two cases were still open which was reported to HHS that it needed funding to provide Ms. Mischler services.

56. Exhibit 6 created 10/20/06 said that Ms. Mischler only had two cases with KY DCBS with event dates 04-06 and 05-06. Written By Debbie Dile.

57. Exhibit 7 written 3/23/2007 by the same Debbie Dile contradicts Exhibit 6. At this date Ms. Mischler had three cases [referrals] against her. One date is never mentioned. The second date is May 2006 and the third date is December 2006. Dile admits that the December 2006 is a mistake and should be corrected.

58. Exhibit 8 was created May 2007. This was prepared by social worker Shreena Hamilton Spurlock who failed to disclose the conflict of interest that she was personal friends of the ex husband who received child custody over Ms. Mischler because of Hamilton's falsified records. At this date it stated that Ms. Mischler had a 1) 8/9/02 I&R report, 2) 4/20/06 substantiation of child abuse but was later unsubstantiated, 3) 10/17/06 substantiation of child abuse but waiting on whether it would be overturned in a CAPTA appeal.

59. Exhibit 9 was created March 23, 2007. This INV-2 at the top meaning investigation 2. This document contradicts Exhibits 1, 7, and 11. It states it was received and completed on 4/20/2006 and was substantiated as child abuse [neglect] against Ms. Mischler but the substantiation was overturned March 23, 2007.

60. Exhibit 10 was created July 13, 2007. This INV-3 at the top means it is investigation 3. It states it was substantiated but overturned July 19, 2007 per CAPTA appeal in Ms. Mischler's favor. This is the case Dile admitted in exhibit 7 was a mistake and was to be corrected. KY DCBS never corrected the mistake.

61. Exhibit 11 was created 12/8/2008. This is under Ms. Mischler's husband's name and was used by the child custody evaluator to deny Ms. Mischler access to her children. Because it is not Ms. Mischler's record she has no legal authority to obtain it under confidentiality rules and it was given to her in 2016 accidentally. Exhibit 11 states that there are three cases against Ms. Mischler. 1) 8/19/2002 Adult protective Services case I & R from the 2002 domestic violence

case. 2) 4/20/2006 Substantiation of child abuse [neglect] against Ms. Mischler that Exhibit 8 stated was unsubstantiated, and Exhibit 9 stated was overturned over a year before Exhibit 11 was created.

62. Exhibit 12 is not dated but received by Ms. Mischler in 2013 in an open records request. After Ms. Mischler moved to Florida; Kentucky created a new child abuse investigation against Ms. Mischler backdated to 2002 sometime in 2013 or completely withheld the knowledge of the 2002 child abuse investigation entirely although per Administrative Court Order she was to be given copies of all DCBS documents in 2007. All documents with Intake ID's were withheld from Ms. Mischler until 2013. In August 19, 2002, Intake ID 656903 was assigned to the adult protective services from the domestic violence petition. Three consecutive cases were opened with the intake ID's of 690095 [false date of August 19, 2002], 690096 Received April 20, 2006, accepted October 19, 2006, and unsubstantiated, and 690098 Received May 25, 22006, accepted October 19, 2006 and unsubstantiated. The creator of this document Deborah Webb is the SSRA, see paragraphs 22-25 of this complaint.

63. These documents show that Kentucky has been defrauding 42 U.S.C. 5106a and failing to uphold KY Child welfare law of which Gov. Bevin is required to sign a certification to not do to receive funds. This is why Kentucky Governor Bevin conspired with Defendants Veatch, DOJ to send the FBI to try to get copies from Ms. Mischler violating the Hobb's act in doing so.

#### *ALLEGATION*

64. Defendants DOJ, Veatch and Amb. Craft, crossing state lines from District of Columbia, to Kentucky, to Florida conspired and did send FBI Agent Shane Baumgartner and another unknown man UNDER COLOR OF OFFICIAL RIGHT, to threaten and intimidate Ms. Mischler at her home in Florida, with an impossible allegation to induce Ms. Mischler to

“voluntarily” give her personal property of copies of KY DCBS documents she had in her possession at her home.

65. Defendants DOJ, Veatch, and Amb. Craft conspired or had knowledge of the judicial bribery of Judge Van Tatenhove of employment and gifts to his paramour Christy Trout in Kentucky, did cross state lines, send FBI Agent Shane Baumgartner to intimidate, falsely accuse, attempt to entrap under color of official right to attempt to induce Ms. Mischler through fear of malicious prosecution to be silent of the conspiracy to unlawfully constructive repeal the Affordable Care Act through waivers and bribing judicial officers.

66. Defendant A.G. Barr knew after the fact of acts in foregoing paragraphs as noticed by Ms. Mischler in Exhibit 3 and his failure to act is the furtherance of the Hobbs Act violation by denying Ms. Mischler administrative redress of grievances to which she is entitled under the First Amendment of the United States Constitution.

67. Defendant A.G. Barr failure to stop the obstruction of justice in the Federal Eastern District of Kentucky after the fact is furtherance of the criminal act.

**COUNT III &IV**

**DECLARATORY RULING THAT DOJ KNEW AND DID NOTHING ABOUT**  
**KENTUCKY DEFRAUDING VAWA GRANTS TO**  
**DISCRIMINATE AGAINST WOMEN**  
**AND**  
**INJUNCTION TO DEFENDANTS DOJ AND A.G. BARR TO CLAWBACK**  
**KENTUCKY VAWA FUNDING PURSUANT**  
**TO 34 U.S.C. §102280 34 U.S. Code § 102280**

**FACTS**

68. In 2002 Kentucky received over two million in grant from Defendant DOJ in Violence Against Women Formula Grants. Kentucky received many millions thereafter.

69. 2007: FBI London Post in Kentucky pulled Ms. Mischler court records in Pike County Kentucky showing shocking violations by a state judge unlawfully changing child custody denying Ms. Mischler fundamental rights to a judge with subject matter jurisdiction, and child custody.

70. 2007: FBI Supervisory Agent Greg Cox told Ms. Mischler he had an ongoing investigation in multiple cases involving women being denied civil rights in family courts in Eastern Kentucky but the United States Attorney in the Eastern District of Kentucky would not prosecute the judges involved and Agent Cox had done as much as he could.

71. The U.S. Attorney[s] in the Eastern District of Kentucky has violated 34 U.S. Code § 12291 (13) by allowing Kentucky to engage in a discriminatory practice against women by public officials in Kentucky so that men do not have to pay child support and/or retain child custody as means to control their ex-wife financially, emotionally, and physically.

72. The U.S. Attorney in Eastern District of Kentucky was aware that “ON IT’S FACE FRAUD” was taking place in cases 02-D-00202-002 [Pike County Kentucky] to discriminate against Ms. Mischler.

73. July 21, 2002: Ms. Mischler, a female is spit upon, threatened and fearful of her ex husband Jonah Lee Stevens, an attorney over an argument of child custody.

74. July 22, 2002: Ms. Mischler files for an emergency protection order. Per instructions on the form; Ms. Mischler, a female is required to swear that the allegations of her complaint are true and the sworn statement is notarized by Deputy Clerk Jennifer Gillespie. Case number 02-D-00202-001 is assigned. See Exhibit 15.

75. July 22, 2002: As soon as male Attorney Jonah Lee Stevens is served with 02-D-00202-001 is served he turns around and files against Ms. Mischler. See Exhibit 16.

76. July 22, 2002: Male attorney Jonah Lee Stevens said in the future, “[o]n Aug. 5, 2002] that Ms. Mischler was going to commit specific acts of violence against him which obviously, did not occur. See Exhibit 16, first page. This is per se fraud upon its face and was assigned case number 02-D-00202-002.

77. July 22, 2002: Male attorney Jonah Lee Stevens is not required to swear to his fraudulently false statement by the Pike County Clerk showing discriminatory treatment where female Amy Mischler was required to swear. The document states on its face “\*[m]ust be signed by the circuit clerk or other individual authorized by Court to provide and verify emergency petitions”. See Exhibit 16, page 2.

78. July 22, 2002: Trial Commissioner Fred Hatfield issues the emergency protective order to change child custody to male Jonah Lee Stevens knowing it was both substantively and procedurally fatally defective; 1) substantive- impossible allegation, 2) not sworn through required statutorily to be sworn. See Exhibit 16 second page.

79. August 2011: Pike County Circuit Court Clerk admitted there was never any required order transferring the cases from Pike County to Floyd County Judge Julie Paxton in case 02-d-00202-001 or -002. See Case: 7:13-cv-00008 Doc #: 111-3 Filed: 03/07/14 Page: 1 of 87 - Page ID#: 2792.

80. August 7, 2002: Floyd County Judge Julie Paxton dismissed both 02-d-00202-001 and 02-d-00202-002 on the triplicate form handing a copy to each party at the hearing. However Judge Paxton did not send the dismissal orders to the Pike County Circuit Court until 9/9/02. See Case: 7:13-cv-00008 Doc #: 111-3 Filed: 03/07/14 Page: 3 of 87 - Page ID#: 2794. This was intentional to hold the dismissal orders pass the thirty days to file a notice to appeal in order to

cover up that Floyd County Judge Paxton had not been lawfully assigned by the Kentucky Supreme Court Chief Justice or a Regional judge to the Pike County cases.

81. Kentucky law is clear that after thirty days finalization occurs and a judge loses subject matter jurisdiction to hear a case. Further, Kentucky is specific that child custody can only be changed in a domestic violence case if a finding of domestic violence is granted.

82. September 23, 2002: Judge Paxton issued an order changing child custody WITHOUT ANY AUTHORITY WHATSOEVER in a closed, dismissed and FINALIZED domestic violence case. “Respondents mother” was given de facto child custody in this illegal order. See Exhibit 17. Ms. Mischler DID NOT AGREE to his. The official video court record of the August 9, 2002 hearing was kept by Judge Paxton and destroyed.

83. September 23, 2002: Judge Paxton gave Ms. Mischler’s children to a woman who had no standing, had not attended court, whom the Judge didn’t even know the woman’s name. Defendant DOJ knew about this illegal and constitutionally outrageous order where people with no name, no standing are given control of another person child through the FBI pulling this court record in 2007 and the Eastern District of Kentucky U.S. Attorney’s office refusing to prosecute.

84. August 24, 2006: The Kentucky Supreme Court issued a factual finding against Judge Paxton in another 2002 case, operating in the same fraudulent manner as 02-d-00202-002 giving child custody to grandparents while intentionally not following the procedural rules of due process notice. Specifically, the KY Supreme Court found, “[a]t least one piece of evidence, the consent to custody, suggests that Appellant was not informed that her ex-husband’s parents intended to

*adopt the children” and “[u]nfortunately, we cannot discern from the record whether due process was satisfied in this case”. Storm v. Mullins, 199 S.W.3d 156 (Ky., 2006).<sup>5</sup>*

85. Neither the Kentucky Bar Association, nor the Kentucky Supreme Court, nor the Kentucky Judicial Conduct Commission, nor the U.S. Attorney for the Eastern District of Kentucky has brought any accountability to Judge Julie Paxton for her unethical and criminal actions in Storm v. Mullins, id, or Ms. Mischler’s cases.

86. September 12, 2011: The Kentucky Judicial Conduct Commission stated that they “review[ed] all of the information in the case” and that “there was no evidence that Judge Paxton . . . committed any acts of misconduct or violated any of the provisions of the Code of Judicial Conduct. The Commission also determined that there was no evidence that the decisions rendered by Judge Paxton . . . were not made in good faith”. 7:13-cv-00008-ART Doc #: 1-1 Filed: 01/28/13 Page: 20 of 39 - Page ID#: 53

87. Thus Kentucky’s Judicial Conduct Commission concludes a judge can in good faith, change child custody to a person without standing, who never set foot in the courtroom, whom the Judge does not even know their name to put in the order.

88. The Defendant DOJ, and its subrogate various U.S. attorneys in the Eastern District of Kentucky have allowed a discriminatory scheme against women, particularly impoverished women to exist in the Kentucky state courts to deny fundamental rights of equal access to the courts, equal protection to the Rule of Law and equal protection of parental rights. Not only has the Defendant DOJ failed to provide equal protection to women in the Eastern District of Kentucky; Defendant DOJ has funded the discriminatory scheme to deny women equal

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<sup>5</sup> Inherently if there is no due process in the record; no due process has been provided.

protection, to the Kentucky Attorney General and the Kentucky Administrative Office of the Courts through various federal grants including domestic violence grants.<sup>6</sup>

89. **May 2006:** To cover up the 2002 fraud, ex husband and attorney Jonah Lee Stevens and Judge Julie Paxton engaged in another fraud, again misusing the domestic violence court to change child custody. Having been denied medical coverage for her youngest son and denied access to the courts since applying with the Pike County Attorney Howard Keith Hall in June 2005; Ms. Mischler marched in public with a sign begging for forty dollars to buy her son's medicine. Attorney Jonah Stevens alleged this was domestic violence against him, Jonah Stevens.

90. **December 13, 2006:** In the child custody case and not in the domestic violence action 02-D-00202-003[2006], Judge Preston vacated the third domestic violence action in 2006 with a factual finding that Judge Paxton issued a domestic violence where attorney Jonah Lee Stevens failed to allege actual grounds of domestic violence in the petition. “*The Court has reviewed this order, and finds that insufficient grounds were stated in the petition for the issuance of a Domestic Violence Order*”, against Ms. Mischler.<sup>7</sup> See Exhibit 18.

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<sup>6</sup> The Kentucky Supreme Court has granted the law firm Stites & Harbison PLLC forty thousand dollars in personal service grants [taxpayer dollars] to defend against Ms. Mischler seeking redress against Paxton and others in the state and federal courts. The Kentucky Attorney Generals Office has also defended the unconstitutional actions of Paxton in the courts including attending one of Ms. Mischler's child custody hearings and making an entry of appearance to quash Paxton's testimony regarding her lack of jurisdiction.

<sup>7</sup> Kentucky Chief Judge Joseph Lambert required Paxton's recusal from Ms. Mischlers cases but took no action to undo/admit the harm. Ms. Mischler was still denied her parental rights based on

*ALLEGATION*

91. Ms. Mischler realleges all the prior paragraphs herein.
92. Defendants DOJ through their divisions the U.S. Attorney of the Eastern District of Kentucky and the London Kentucky F.B.I. office knew that women, in particular Amy Mischler were harmed by the state courts and attorneys in the Eastern District of Kentucky conducting a scheme to unlawfully deny women access to the courts, parental rights in order that local prominent men would not have to pay child support.
93. Non-parties, the Kentucky Supreme Court, the Kentucky Bar Association, the Kentucky Judicial Conduct Commission, the Kentucky Attorney Generals Office were fully noticed of that the state courts in Eastern Kentucky were committing fraud in domestic violence grant funding, unlawfully issuing domestic violence orders against women in a discriminatory scheme to interfere with child custody so men would not have to pay child support.
94. Wherefore, the Defendant DOJ should be required to clawback with interest the entire amount of Violence Against Women grants that the Commonwealth of Kentucky has received from Defendant DOJ since 2002. This Court has authority to create a remedy under the Declaratory Act.

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Thus, the harm to Ms. Mischler continued under subsequent judges after Paxton to coverup and deny what Paxton had done in 2002 and 2006. The subsequent judges further retaliated refusing to acknowledge any of Paxton's wrongdoing and issuing an order for requiring Ms. Mischler to drive 14 hours in a 48 hour period to have supervised visitation for no reason only "AT NIGHT" because the evaluator stated Ms. Mischler was paranoid and distrusted KY DCBS.

**COUNT V**

**DENIAL OF TIMELY FOIA TO COVER UP DOJ MISCONDUCT**

**FACTS AND ALLEGATION**

95. Ms. Mischler reiterates all the foregoing paragraphs including 19 through 41 specifying the conduct of Defendant DOJ employee FBI Special Agent Shane Baumgardner coming to Ms. Mischler's home July 3<sup>rd</sup>, 2018 to intimidate, entrap, and induce her into giving DCBS records to the FBI so the FBI could forward copies to Gov. Matt Bevin, in violation of the Hobbs Act. Governor Bevin is a close political ally of President Donald Trump.

96. Ms. Mischler was denied expedited FOIA from Defendant DOJ in order to identify the individuals involved in sending the F.B.I. to her home. See Exhibit 19 and 4.

97. Ms. Mischler's appeal was denied July 15, 2019 in Appeal No. DOJ-AP-2019-005608, see Attached Exhibit 19.

98. Ms. Mischler asserts commission of a crime by a DOJ employee should be a FOIA that requires expedited treatment. Defendant DOJ employee Matthew Hurd denied expedited treatment implying that a criminal case must be initiated against Ms. Mischler to become a due process violation. Defendant DOJ says the date the FOIA will be answered is June 2021 thus, Ms. Mischler must forfeit her statute of limitations to hold Agent Baumgartner civilly accountable to have the necessary information to file suit against his conspirators or in the alternative suffer a malicious prosecution from the Defendant DOJ.

**28 U.S. Code § 1746 Declaration**

99. Pursuant to 28 U.S. Code § 1746 I, Amy Mischler declare under penalty of perjury that the foregoing is true and correct to the best of my ability.



Executed on September 27, 2019.

**NOTICE OF EXHIBITS AND FOOTNOTES**

100. Ms. Mischler has seven footnotes and 1, 3-19 Exhibits. The local rules specify that footnotes and exhibits are discouraged. Ms. Mischler apologizes for any unnecessary footnotes or exhibits. She only placed those she thought were necessary and took Exhibit 2 out. She has not been allowed to even speak to her children, her only two children since 2008 due to the discrimination and retaliation in the Kentucky State and Federal Court system. Being systemically denied access to the courts for over a decade makes her emotionally involved and any unnecessary footnotes or exhibits are a result. She apologizes to the Court for any violation of the local rules.

**REQUESTED RELIEF**

WHEREFORE, Ms. Mischler respectfully requests the Court to:

- (1) Order Defendant DOJ to conduct a search or searches reasonably calculated to uncover all records responsive to Ms. Mischler's FOIA Request identified in this complaint;
- (2) Order Defendant DOJ to give the FOIA Request documents to Ms. Mischler immediately so she can commence a civil action against FBI Agent Baumgardner and his conspirators;
- (3) Issue a Declaratory Ruling and Factual Finding that Defendants A.G. Barr, DOJ and LeeAnn Veatch violated the Hobbs Act [18 U.S. Code § 1951];
- (4) Issue a Declaratory Ruling and Factual Finding that it is an impermissible conflict of interest for a party to hire a Constitutional Article III Judge's paramour and both the party litigant and Judge withhold that information from the other party;

- (5) Issue a Declaratory Ruling and Factual Finding that Defendants DOJ and Ambassador Craft committed obstruction of justice to constructively repeal the Affordable Care Act through waiver to Kentucky;
- (6) Issue a Declaratory Ruling and Factual Finding that Defendant DOJ knew about Kentucky defrauding VAWA grants to create a discriminatory scheme in the Kentucky State Courts to deny women equal protection of the laws, child custody, and redress of grievances and that Defendant DOJ was willfully blind to the fraud;
- (7) Issue an Injunction to Defendant DOJ and A.G. Barr to require Kentucky to pay back all VAWA funding received since 2002, including interest and a detailed audit/OIG investigation of all DOJ funding programs to Kentucky for fraud;
- 8) Award Ms. Mischler fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. §552(a)(4)(E); and
- (9) Grant Ms. Mischler such other relief as the Court deems just and proper.

Dated: September 27, 2019

Respectfully submitted,

  
Amy Mischler  
1120 Palm Court  
Okeechobee, Florida 34974  
863-801-1877  
ajmischler@yahoo.com

**From:** Womack, Mona S (CHFS OLS)  
**Sent:** Friday, February 12, 2016 12:55 PM  
**To:** Lovely, David T (CHFS OLS)  
**Subject:** FW:

**From:** Howard Susan (CHFS DCBS EMSR Johnson)  
**Sent:** Friday, February 12, 2016 12:49 PM  
**To:** Womack, Mona S (CHFS OLS)  
**Subject:** RE:

**Case Active/Inactive History**

**Case Active/Inactive History**

Date Event	Event	Case Manager	Supervisor	Merged with Case Number	Merged with Case Name
08/17/2007	Close	PERRY (BSW-FSOS), BOB	MANAGER, EASTERN MOUNTAINS		
10/18/2006	Open	TAYLOR (BSW-FSOS), WILMA	MANAGER, EASTERN MOUNTAINS		
08/27/2002	Close	BRANHAM (BSS-FSOS), DELPHIA	MANAGER, EASTERN MOUNTAINS		
06/19/2002	Open	BRANHAM (BSS-FSOS), DELPHIA	MANAGER, EASTERN MOUNTAINS		

If a case has been ongoing at some point, it will usually show as ongoing from then on.

Susan Howard  
Service Region Administrator  
Eastern Mountain Region  
205 Main St.  
Paintsville, KY 41240  
(606) 788-7108  
FAX (606) 788-7117

**Notice of Confidentiality:** This e-mail, including any attachments, is intended for the use of the individual or entity to which it is addressed and may contain confidential information that is legally privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any review, use, disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply e-mail and destroy all copies of the original message.

**From:** Womack, Mona S (CHFS OLS)  
**Sent:** Friday, February 12, 2016 11:36 AM  
**To:** Howard Susan (CHFS DCBS EMSR Johnson)  
**Subject:** RE:

Susan,  
Can you go in to this doc and clarify that it's been closed?

**Exhibit 1**

Exhibit 17  
17/44

WILLIAM BARR,  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

May 7, 2019

Dear Attorney General Barr,

"We have to stop using the criminal justice process as a political weapon."

William Barr, May 1, 2019 Testimony before Congress

"The basic thing is that most judges regard these people as kind of trash not worth the time of a federal judge." Judge Richard Posner<sup>1</sup>

This is notice that the Department of Justice is still using the criminal justice process as a political weapon and demand that immediate steps be taken by Attorney General Barr to stop all retaliatory harassment of Amy Mischler at her home in Florida. Further she notices and demands immediate action by AG Barr to deal with the ongoing obstruction of justice taking place in the Federal Courts of Kentucky and the Federal Sixth Circuit Court of Appeals to benefit self entitled "friend of President Trump", Kentucky Governor Matt Bevin.

I have been treated like "trash" by state and federal judges since 2002 when a judge without subject matter jurisdiction unlawfully changed child custody in a finalized long dismissed domestic violence action where my ex husband, an attorney alleged in July 2002 that I was going to do specific acts of domestic violence against him IN THE FUTURE on August 5, 2002. I have had no enforced civil rights or equal protection in any court of law since that time.

Kentucky DCBS (child protective services) **repeatedly**, to defame my credibility, kept putting me on an administrative child abuser list without due process notice. This was to justify the conduct of the family court state judge in 2002. I filed a timely complaint against DCBS on this issue with the Office of Civil Rights within the Federal Department of Health and Human Services. Because I am a white and not in a protected class; OCR refused to investigate or take action against KY DCBS.

Repeatedly I have noticed the DOJ and HHS that Kentucky was defrauding VAWA and CAPTA funds in the Kentucky family courts treating individuals such as myself as if we were serfs [trash]without constitutional rights. Repeatedly DOJ and HHS has turned a deaf ear to its grants being used to violate the constitutional rights of Kentuckians.

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<sup>1</sup> The New York Times, "An Exit Interview with Richard Posner, Judicial Provocateur". September 11, 2017 by Adam Liptak.

2019: Now, I am being harassed at my home in Florida where I have lived peacefully since December 2010 by both Federal and State law enforcement to intimidate and bully me into silence because President Trump's political allies have been caught committing obstruction of justice in the Federal Courts to cover up what Kentucky has been doing for decades.

Shame on the F.B.I. allowing its agents to harass me and my elderly father at our home when if Agent Baumgartner had done any due diligence whatsoever he would have been fully aware that public record in the form of federal pleadings made it impossible for me to be bribing a federal judge; the alleged basis of why he harassed me and my elderly father at our home. The information was already in the public domain making it impossible to bribe.

#### Timeline

**Unknown date:** EDKY Federal Judge Greg Van Tatenhove divorced his wife whom he was married during his confirmation hearing to have his Federal law clerk Eva Christine [Christy] Trout move in with him as his live in lover.

#### **ACTUAL COLLUSION/CONSPIRACY**

**Unknown date:** Judge Greg Van Tatenhove and Kentucky Governor Elect Matt Bevin entered into a collusion/conspiracy to obstruct justice in the Eastern District of Kentucky Federal Courts. Bevin would employ Judge Van Tatenhove's lover Christy Trout in a political position and in return Bevin would receive favorable judicial rulings from Judge Van Tatenhove in federal civil cases. This was in anticipation of litigation involving "work for Medicaid" and reform of the Affordable Care Act at the state level in Kentucky.

**December 30, 2015:** In furtherance of the collusion/conspiracy; Governor Elect Matt Bevin issued an executive order effective January 4, 2015 to hire Eva Christine Trout the live in lover of Judge Greg Van Tatenhove.

Governor Matt Bevin insinuates that he and Kentucky receive favoritism from President Donald Trump whom Bevin claims to frequently text back and forth with.<sup>2</sup> This and because federal judges are never held accountable; created this arrogant recklessness harming Ms. Mischler, her elderly father and the public confidence in the federal judiciary.

**April 24, 2017:** Chief Judge Karen Caldwell furthered the collusion/conspiracy between Governor Matt Bevin and Judge Greg Van Tatenhove by issuing an assignment order

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<sup>2</sup> There are multiple public speaking events that Governor Matt Bevin has made these comments available in the public domain on the internet.

directing 100% of civil cases filed in the Frankfort Division of EDKY to be automatically assigned to conflicted Greg Van Tatenhove.<sup>3</sup> Frankfort is the capitol of Kentucky and all Federal civil cases filed against or by Governor Matt Bevin would be filed in that division. Further, Christy Trout was a law clerk in the EDKY and thus Trout's supervisor Chief Judge Karen Caldwell would/should have personal knowledge that Trout was living with Judge Van Tatenhove and as a result, he would have a conflict of interest of any case related to Trout or her employer Governor Matt Bevin.

**October 23, 2017:** Appellee Governor Matt Bevin was served summons in case 17-cv-66 [EDKY].<sup>4</sup>

**November 14, 2017:** No responsive pleading was filed by Governor Matt Bevin before the due date.<sup>5</sup>

**THE RULE OF LAW SAYS THAT AMY MISCHLER IS  
ENTITLED TO DEFAULT JUDGMENT AGAINST MATT BEVIN  
BECAUSE BEVIN FAILED ANY TIMELY RESPONSIVE PLEADING.**

**THE CONFLICT OF INTEREST BETWEEN BEVIN/VAN  
TATENHOVE/TROUT IS NOT OBSTRUCTION OF JUSTICE PER  
SE; IT IS THE ACTION OF REFUSING TO ENFORCE THE RULE  
OF LAW WITH JUDGE VAN TATENHOVE 1)REFUSING TO  
RECUSE WITHOUT MOTION, 2)REFUSING TO RECUSE  
WHEN RECUSAL MOTION WAS FILED AND 3)DISMISSING  
THE ACTION AGAINST BEVIN WHEN BEVIN WAS IN  
DEFAULT; MULTIPLE VIOLATIONS OF "DUE  
ADMINISTRATION OF JUSTICE" 18 U.S.C. §1503.**

**November 28, 2017:** Matt Bevin made an entry of appearance 36 days after being served. Only an impermissible Rule 11 motion was filed on his behalf.<sup>6</sup>

**March 2, 2018:** Judge Greg Van Tatenhove denied my motion for his recusal based on his son, Cooper Van Tatenhove holding out to be an employee of Defendant Matt Bevin. Judge Greg Van Tatenhove failed to notice the record that his live in lover Christy Trout was also an employee of Governor Matt Bevin.<sup>7</sup> This is Federal Criminal obstruction of justice because his action violates the due administration of justice provision of 18 U.S.C.

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<sup>3</sup> See 18-5249 (6<sup>th</sup> Cir.) DE 18, pg 58.

<sup>4</sup> See 18-5665 (6<sup>th</sup> Cir.)DE 43 Page 2.

<sup>5</sup> See 18-5665 (6<sup>th</sup> Cir.)DE 43 Page 2.

<sup>6</sup> See 18-5665 (6<sup>th</sup> Cir.) DE 43 Page 2.

<sup>7</sup> See 17-cv-66 [EDKY] DE 55, 3/2/18.

§ 1503, where the written standard for voluntary recusal by Judge Van Tatenhove is a very low bar.

**March 7, 2018:** Amy Mischler filed her notice of appeal Judge Van Tatenhoves refusal to recuse with a **paid filing fee** for case 17-cv-66 [EDKY].<sup>8</sup>

**March 9, to April 11, 2018:** Amy Mischler was cyberstalked by an employee of the Sixth Circuit Court of Appeals out of the Cincinnati Courthouse.<sup>9</sup>

**Same Time Period:** Chief Judge Karen Caldwell also cyberstalked Amy Mischler on social media.<sup>10</sup>

**April 4<sup>th</sup>, 2018:** Without acknowledging that the Sixth Circuit Court of Appeals ex parte social media research on Amy Mischler; her appeal was dismissed **claiming lack of jurisdiction over Judge Greg Van Tatenhove having a conflict of interest.**<sup>11</sup>

**April 23, 2018:** An En Banc Petition was filed noticing the Sixth Circuit Court of Appeals that Judge Greg Van Tatenhove had a conflict of interest because his live in lover, Christy Trout worked for Governor Matt Bevin and unlawfully, in violation of the Civil Rules of Procedure dismissed the case against Governor Matt Bevin though Bevin was in default and had not even filed a motion to dismiss.<sup>12</sup>

**May 8, 2018:** In violation of the local rules of the Eastern District of Kentucky that state all civil cases in the Frankfort Division would be assigned to Judge William O. Bertelsman once Judge Van Tatenhove is recused; in furtherance of the collusion/conspiracy Chief Judge Karen Caldwell assigned case 17-cv-66 [EDKY] to Judge Danny Reeves. [This will be a continuing pattern of cover up and whitewash by Judge Van Tatenhove and Judge Reeves in case 3:19-cv-00033 that is ongoing].<sup>13</sup>

**May 25, 2018:** Judge Danny Reeves refused to acknowledge that Kentucky Governor Matt Bevin was in default judgment after reviewing the case and dismissed the entire action. Judge Reeves affirming Judge Van Tatenhoves dismissal order is a blatant attempt to give the dismissal order the appearance of legitimacy. This constitutes a violation of 18 U.S.C. § 1503.

**July 3, 2018: FBI Agent Shane Baumgartner and unknown person claiming to be an Agent went to Amy Mischler's home unannounced from an allegation from Kentucky claiming that Ms. Mischler was going to go to Kentucky and disclose information concerning Judge Van Tatenhoves misconduct**

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<sup>8</sup> See 18-5665 (6th Cir.)

<sup>9</sup> See 18-5249 (6<sup>th</sup> Cir.) DE 18, page 29.

<sup>10</sup> See 18-5249 (6<sup>th</sup> Cir.)DE 18, page 31 and 33.

<sup>11</sup> See 18-5249(6<sup>th</sup> Cir.) DE 14. The known conflict of interest at that time was Judge Greg Van Tatenhoves son holding himself out to be an employee of Governor Matt Bevin. Apparently multiple individuals related to Judge Van Tatenhove are employees of Governor Bevin.

<sup>12</sup> See 18-5249 (6<sup>th</sup> Cir.) DE 18 Pages 14-17.

<sup>13</sup> A caveat clause is written into the general orders to allow judges to handpick judges who agree in order to facilitate the covering up misconduct instead of following the prescribed assignment in the prior paragraphs.

**insinuating that Amy Mischler was attempting to blackmail a federal judge. It was impossible to disclose [BLACKMAIL] because it had been disclosed months before in 18-5249 (6<sup>th</sup> Circuit), DE 18, 3/1/2019.**

The unknown Federal Agent asked if I would compile my documents in full send them to the Fort Myers F.B.I. office.<sup>14</sup> **This is a very important part of this complaint.**

**July 5, 2018:** Sixth Circuit Court of Appeal Judges Guy, Daughtery and Sutton claim the entire Sixth Circuit panel received a copy of the En Banc Petition and none requested a vote. See 18-5249 (6<sup>th</sup> Circuit), DE 20-1.

**October 31, 2018:** Governor Matt Bevin filed a brief in 18-5665, document 22. This had **many, many factual errors and outright misrepresentations** BECAUSE KENTUCKY DESTROYED ITS DCBS COPIES OF MY DOCUMENTS. The F.B.I. was attempting to get my copies to give to Governor Matt Bevin. I had not given copies to the weaponized F.B.I. to hand over to Governor Bevin as requested from the July 3, 2019 visit. These DCBS records are required to be maintained for at least two decades by Federal Department of Health and Human Services. This is destruction of evidence by Bevin and KY DCBS is another criminal obstruction of justice.

**November 2, 2018:** My elderly father Ralph Mischler Sr. died after a hospital stay. I was his fulltime caregiver for a period of years prior.

**December 26, 2018:** A motion for an order to Defendant Governor Matt Bevin and his attorney David Brent Irvin to show cause for misrepresenting the truth to the Sixth Circuit was filed. It has not been ruled upon.<sup>15</sup>

**January-February 2019:** An AC Glades Van that was unnaturally clean appeared to have my home under surveillance. I saw this vehicle at least three to five times. I believe this was Agent Baumgartner from the Fort Myers F.B.I. office having me illegally under surveillance. The last time I saw the vehicle I intentionally told my friend on the cell phone that I was going to confront it. It took off as if it was hearing my cell phone conversation and never came back. The last place it was located was behind a row of tall bushes where I could not see it from my home roughly four doors down across the street.<sup>16</sup> As of May 7, 2019 I believe that the surveillance was more than the F.B.I. but also with participation of the Glades County Sheriff's department officially, or unofficially.

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<sup>14</sup> The F.B.I. coming to my home unannounced caused my elderly sick father unnecessary stress. I attempted to shield him from even knowing they were there by requiring them to sit outside on the porch in the sweltering heat instead of inviting them inside. Despite this, my father saw them on the porch and guessed that they were law enforcement because of the harassment he and I had endured years before in Kentucky.

<sup>15</sup> See Docket Entry 40, in 18-5665 [Sixth Circuit].

<sup>16</sup> I live in a very small rural neighborhood where it would be difficult to have my home under surveillance without it being obvious. I was in mourning for my father during this time period. It's very possible that the surveillance was more constant without my awareness due to my grief.

**March 1, 2019:** A motion for a factual finding on actual default by Governor Matt Bevin was filed.<sup>17</sup>

While I know you, Attorney General Barr were not confirmed until February 2019; you are now noticed that the political weaponization of the D.O.J. has continued with **Trump allies now using the F.B.I. to target me just like Clinton allies targeted Donald Trump.** Now it appears that the F.B.I. knowing it is in trouble after I filed a FOIA for the 302's is using contacts within my local Sheriff's office to harass me.<sup>18</sup>

I expect 1) timely notice back from you that you have received my notice and taken steps to stop the weaponization of the F.B.I. against me. I also expect 2) action to address the obstruction of justice in EDKY and 6<sup>th</sup>. Cir. denying my equal protection; at its core, equal protection requires the enforcement of the rule of law. If the rule was enforced; I would have had a default judgment against Kentucky Governor Matt Bevin over a year ago.

Sincerely yours,



Amy Mischler  
Bachelors of Music Education, EKU 1991,  
Masters of Music Education, EKU 1993,  
Juris Doctorate of Law, ASL 2005  
1120 Palm Court  
Okeechobee, Florida 34974  
[ajmischler@yahoo.com](mailto:ajmischler@yahoo.com)  
863-801-1877  
~~Cc: Sheriff David Hardin~~

<sup>17</sup> See Docket Entry 43 in 18-5665 [6<sup>th</sup> Cir.]

<sup>18</sup> See attached cc complaint to Glades County Sheriff David Hardin.

Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

ADDITIONAL INFORMATION ID Number 4258887 assigned May 9, 2019  
by the Mail Referral Unit.

Please submit the attached information that includes a sworn declaration  
under penalty of perjury for the file.

The FOIPA appeal is 19 pages.

Sincerely,



Amy Mischler  
1120 Palm Court  
Okeechobee, Florida 34974  
863-801-1877  
ajmischler@yahoo.com

**Exhibit 4**

US POSTAL MAIL Signature Required

**APPEAL[S] IN FREEDOM OF INFORMATION  
REQUEST NO. 1433145-000**

June 24, 2019

Director Melanie Ann Pustay  
Office of Information Policy  
United States Department of Justice  
Suite 11050, 1425 New York Avenue, NW  
Washington D.C. 20530-0001

Re: Appeal of denial of Expedited Treatment of FOIA Request No.: 1433145-000  
Re: Appeal of denial of public interest fee waiver of FOIA Request No.: 1433145-000  
Re: Appeal of “unusual circumstances” determination to create additional delay and billing of FOIA 1433145-000

Dear Madam:

On April 2, 2019, I filed a Freedom of information Act (FOIA) with the Federal Bureau of Investigation, requesting 1) all records including 302's of why two FBI Agents visited my home July 3<sup>rd</sup>, 2018, 2) All records about [me] in Kentucky, 3) records where I contacted the FBI. See attached Exhibit 1: April 2, 2019 FOIA Request.

I requested expedited processing because *“two fbi agent came to my home under false allegations for the purpose of KY officials to harass me in KY”*. My home is in Florida.

I was denied expedited processing because the FBI stated *“you have not provided enough information concerning the statutory requirements permitting expedition, therefore, your request is denied”*. See attached Exhibit 2: April 8, 2019 Denial of Expedited FOIA Request.

I am appealing denial of Expedited Treatment of Freedom of Information Act Request No.: 1433145-000. I am also appealing being charged fees. I am a victim of FBI misconduct and I should not have to pay fees in order to get those documents where the FBI came to my home to harass me under false pretenses.

I am also appealing the “unusual circumstances” determination and additional billing found in Exhibit 4. I am a victim of FBI misconduct and should not be subject to delay and additional billing which is to retaliate against me in asking for these documents.

On June 21, 2018 I received an email stating that I will not receive my FOIA Request until June 2021. See Exhibit 5.

The 90 day's to appeal the denial of Expedited processing runs on July 7, 2019. Therefore thess appeal filed in June 2019 are timely.

FACTS which require expedited processing and other relief are as follows.

Pursuant to 28 U.S.C. § 1747, I hereby declare as follows:

1. I have litigation in the Eastern District of Kentucky and the Sixth Circuit Court of Appeals.
2. I discovered an impermissible conflict of interest between Federal Judge Greg Van Tatenhove and defendant KY Governor Matt Bevin where Bevin gave the judges lover, Christy Trout employment in the Commonwealth of Kentucky in return for favorable judicial rulings in the Federal Eastern District of Kentucky [EDKY].
3. The local rules for the EDKY were set up to facilitate the scheme to subvert the administrative process by local Chief Judge Karen Caldwell to funnel all of KY Gov. Matt Bevin's cases to Judge Greg Van Tatenhove facially appearing neutral by assigning 100% of all civil cases filed in the Frankfort Division to Judge Van Tatenhove.
4. I requested Judge Van Tatenhove to recuse on other grounds in case 17-cv-66 [EDKY]. He refused. He also failed to acknowledge his lover whom lived with him, Christy Trout was employed by Defendant KY Gov. Matt Bevin in said action.
5. I uncovered the impermissible conflict of interest between Trout/Van Tatenhove/Bevin.
6. I properly asked Chief Judge Karen Caldwell to take administrative action without having to damage the public trust in the EDKY to address the conflict of interest of Judge Van Tatenhove/Matt Bevin/Christy Trout.
7. When it became clear that Chief Judge Caldwell would not exercise proper administrative action [her involvement in the scheme was not known at the time and had I known I would not have requested administrative action because it would be futile]; I filed public record on PACER regarding the conflict of interest. See 18-5249 [Sixth Circuit] Document 18, page 13 and 14 dated April 18, 2018.
8. I also disclosed the impermissible conflict of interest affecting the administration of justice on social media asking Courier Journal Reporter Joseph Gerth to investigate the matter on March 8, 2018.<sup>1</sup>
9. The subject of litigation in 17-cv-66 [EDKY] was state employees of KY DCBS creating falsified records stating I was a child abuser on its internal database to defame me to coverup state

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<sup>1</sup> "Joe R U gonna look into that conflict of interest with Judge Greg Van Tatenhove/Matt Bevin/Christy Trout/ Medicaid waiver case [KY]/17-cv-66 [EDKY] case filed before waiver case?" Amy Mischler twitter account March 8, 2018, 2:11 PM noticed to @Joe-Gerth @GovMattBevin, @realDonaldTrump, @PastorDScott.

judicial misconduct aimed in making sure my ex husband, an attorney did not have to pay child support.<sup>2</sup>

10. June 28, 29, 2018: I was contacted by Leeann Veatch on Facebook social media. She is a high ranking employee who answers directly to KY Gov. Matt Bevin.

11. Veatch indicated that DCBS had no record regarding me.

12. I stated I had DCBS records to prove otherwise.

13. July 3<sup>rd</sup>, 2018: FBI Agent Shane Baumgartner of the Florida Fort Myers division came to my home. When he finally became serious, he asked if I had plans to go to KY and disclose the information about the judicial conflict of interest. I quickly realized his insinuation that "disclose" was his code word for blackmail. I told him it was impossible to "disclose" the information as he suggested because it was already disclosed to the public on PACER at the Federal Sixth Circuit Court of Appeals months before. Agent Baumgartner was dismissive to me as if I wasn't intelligent enough to understand what a judicial conflict of interest was.<sup>3</sup> Agent Baumgartner was also dismissive about a recent unrequested text message where an unknown person threatened to kill me. He looked at the text messages on my phone that includes knives and threats to call law enforcement in Broward County to harass me and was also dismissive.<sup>4</sup>

14. July 3<sup>rd</sup>, 2018: Agent Baumgartner gave me his card. The second man who claimed to be an FBI Agent did not. He flashed a badge and gave a name.<sup>5</sup> At this time I doubt he was an FBI Agent because 1) he didn't look like one and 2) he asked me to compile all my documents and send them to the Fort Myers office in a way that suggested he did not work at the Fort Myers

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<sup>2</sup> Federal Statute requires confidentiality of administrative child abuse lists because no judicial officer makes the determination. KY does not keep its administrative child abuse list confidential. Anyone with a password can access the KY child abuse list and there is no monitoring who is accessing the information. Thus, there is no actual confidentiality. Further, the 2007 OIG Report in Kentucky found that social workers were changing the online records and recommended a time stamp software be implemented. KY has never implemented the time stamp because KY intentionally uses the child abuse list as a blackball system to use against what KY considers political dissidents.

<sup>3</sup> This "dismissive" attitude that Agent Shane Baumgartner engaged in is a common tactic by domestic violence abusers. "You're a girl, you aren't smart enough to know understand the issues".

<sup>4</sup> The individual who texted me claimed to be a child of the previous owner of the phone number of 863-801-1877. However, at first the message indicated that they were my children whom I haven't seen or been allowed to speak with since 2008 due to corruption in the state family courts. I don't have the resources to track down who actually did the message. The message was on June 25, 2018. It started out as "I love you mom" at 2:45 a.m. "My dad is the number 1 self defense attorney in the state of Florida and k9 undercover relatives." "Somehow you have my mother's old number but I can track you down in seconds you have no idea?" "You better lock your doors". Broward and Miami Dade will track you down give me 30 minutes". "Hope you have no warrants". "Your dead [knife picture]". "Loser answer the phone bitch! Hiding behind communication??". "Answer bitch!!!!". "Florida here we come lol". The threatening communications state they are from phone number 281-210-4774. Janice Tindall who had the number of 863-801-1877 did die on 1/1/2017 but her obituary has no children listed. Thus, given the timing to the date that Leeann Veatch reaching out on June 28, 2018 three days later indicates that the threatening caller is associated also with KY Gov. Bevin like Veatch.

<sup>5</sup> I was caretaking full time for my elderly father who was dying. I was sleep deprived and exhausted on July 3<sup>rd</sup>, 2018. I cannot remember the name the second individual gave me. The visit was unannounced and I was caught by surprise.

Office. He had originally indicated he did work at said office.<sup>6</sup> Thus, I believe this second individual may be a Kentucky resident and employed with an agency in Kentucky which is why the 302's are necessary for me to identify him and verify his authority to be at my Florida home.

15. October 2018: KY Gov. Matt Bevin lied to the Sixth Circuit Court of Appeals stating that I was never placed on the KY child abuser list and that KY had no such records. The assumption is that I did not have the records since I did not give them to the FBI to forward to the KY Governor.

16. First, the Agent Baumgartner was at my home under false pretenses. It is unambiguous that I could not be bribing a federal judge over his conflict of interest on July 3<sup>rd</sup>, 2018 when I had made public the conflict of interest in March and April of 2018. Someone intentionally committed a falsehood to Agent Baumgartner to show up at my home or in the alternative, Agent Baumgartner was aware he was abusing his credentials under false pretenses to entrap, harass, intimidate and get documents for a civil proceeding. Both are scenarios involve criminal culpability of Agent Baumgartner.

17. Second, the other man claiming to be an FBI Agent asked for documents that would have included the DCBS documents on July 3<sup>rd</sup>, 2018 that Leeann Veatch found out that I had on June 28, 2018. It is criminal conduct for the FBI to be acting as a personal gestapo to "voluntarily" get documents using the FBI credentials under false pretenses for a civil matter for a political ally of the current President.

18. Third, Judge Van Tatenhove is the former US Attorney for the Eastern District of Kentucky. The 302's are needed to determine if Judge Van Tatenhove used his influence to send the FBI to harass me to cover up his criminal obstruction of justice in Kentucky.

19. The statute of limitations to sue Agent Baumgartner and his fellow conspirators ends on July 3<sup>rd</sup>, 2020. According to FOIPA, the FBI intends to withhold these documents from me until June 2021 after the statute of limitations has run.<sup>7</sup> See attached Exhibit 3, June 21, 2019 email.

20. All the reasons in enumerated paragraphs one through 19 are sufficient to invoke 28 C.F.R. §16.5 (e)(1)(i) through (iv). If Director Pustay denied this request to expedite the records then a judicial review of her actions will be taken. Further, Ms. Mischler should not be charged any fees whatsoever due to the misconduct of Agent Baumgartner. In addition, the labeling of the

---

<sup>6</sup> This individual sat to my right slightly behind me observing me while Agent Baumgartner was in front of me. At one point this individual seemed personally upset over examples of KY law enforcement corruption that I had personally experienced. This is another reason I think this individual is a law enforcement officer probably with the Kentucky State Police under the direct authority of KY Gov. Matt Bevin.

<sup>7</sup> The FOIPA documents are needed to have the names of the co-conspirators of Agent Baumgartner and how he arrived at my home on July 3<sup>rd</sup>, 2018. Two theories have evolved. Leeann Veatch's husband is FEMA John Veatch who misappropriated 151K of FEMA funds to his supervisor. One theory is that Veatch used connections in DC DOJ to send Agent Baumgartner. The theory is that KY FBI/Federal prosecutors were contacted by Judge Van Tatenhove. The documents are needed also to identify the other man who stated he was FBI. Judge Van Tatenhove is a former U.S. Attorney for the Eastern District of Kentucky who would also have the contacts like John Veatch.

FOIPA as "unusual circumstances" is a delay tactic to protect Agent Baumgartner and is bad faith on the part of David Hardy to extend the period in which to deny me the records.

21. I declare under penalty of perjury that the foregoing is true and correct to the best of my ability.

Executed on this the 24<sup>th</sup> Day of June 2019.

Amy Mischler

Wherefore, I request Director Pustay to grant my relief requested and order the FBI FOIPA to give me the requested documents immediately.

Sincerely,

Amy Mischler

Amy Mischler  
1120 Palm Court  
Okeechobee, Florida 34974  
863-801-1877  
ajmischler@yahoo.com

Exhibit 1

April 2, 2018 Freedom of Information Act Request to F.B.I. Three pages

## eFOIA Request Received

From: efoia@subscriptions.fbi.gov  
To: ajmischler@yahoo.com  
Date: Tuesday, April 2, 2019, 11:06 AM EDT

## Individual Information

**Prefix** Ms.

**First Name** Amy

**Middle Name**

**Last Name** Mischler

**Suffix**

**Email** ajmischler@yahoo.com

**Phone** 8638011877

**Location** United States

## Domestic Address

**Address Line 1** 1120 Palm Court

**Address Line 2**

**City** Okeechobee

**State** Florida

**Postal** 34974

## Agreement to Pay

**How you will pay** I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I would like to limit my request to the two free hours of searching and 100 duplicated pages.

## Proof Of Affiliation for Fee Waiver

**Waiver Explanation** I am a victim of criminal actions of public corruption in KY of which the DOJ has failed to address. The two fbi agents sent to my home on July 3, 2018 were sent under false representations from KY.

**Documentation Files**

## Privacy Act

**US Citizen** True

**Prefix** Ms.

**First Name** Amy

**Middle Name**

**Last Name** Mischler

Suffix

Date of Birth [REDACTED]

Place of Birth Shelbyville Kentucky

**Additional Information**

1) all records including 302's of why two fbi agents visited my home July 3, 2018. 2). All records about in Kentucky. 3) records where I contacted the FBI.

## Expedite

**Expedite Reason**

Because two fbi agents came to my home under false allegations for the purpose of KY officials to harass me in KY.

\*\*

Please be advised that efoia@subscriptions.fbi.gov is a no-reply email address. Questions regarding your FOIA request may be directed to foipaquestions@fbi.gov. If you have received a FOIPA request number, please include this in all correspondence concerning your request. Please note eFOIPA requests are processed in the order that they are received. If you have not received a FOIPA request number, your request is in the process of being opened at which time it will be assigned a FOIPA request number and correspondence will be forthcoming.

\*\*

Upon receipt of your FOIPA request number, you may check the status of your FOIPA request on the FBI's electronic FOIA Library (The Vault) on the FBI's public website, <http://vault.fbi.gov> by clicking on the "Check Status of Your FOI/PA Request tool" link. Status updates are performed on a weekly basis. If you receive a comment that your FOIPA request number was not located in the database, please check back at a later date.

**Exhibit 2**

April 8, 2010 FBI letter to Amy Mischler denying expedition. Two pages.



U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

April 8, 2019

MS. AMY MISCHLER  
1120 PALM COURT  
OKEECHOBEE, FL 34974

FOIPA Request No.: 1433145-000  
Subject: MISCHLER, AMY

Dear Ms. Mischler:

This is in reference to your letter to the FBI, in which you requested expedited processing for the above-referenced Freedom of Information/Privacy Acts (FOIPA) request. Under Department of Justice (DOJ) standards for expedited processing, it can only be granted in the following situations:

**28 C.F.R. §16.5 (e)(1)(i):** "Circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual."

**28 C.F.R. §16.5 (e)(1)(ii):** "An urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information."

**28 C.F.R. §16.5 (e)(1)(iii):** "The loss of substantial due process of rights."

**28 C.F.R. §16.5 (e)(1)(iv):** "A matter of widespread and exceptional media interest in which there exists possible questions about the government's integrity which affects public confidence."

You have not provided enough information concerning the statutory requirements permitting expedition; therefore, your request is denied.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Exhibit 3

April 8, 2010 FBI letter to Amy Mischler denying waiver of fees. Two pages



**Federal Bureau of Investigation**  
Washington, D.C. 20535

April 8, 2019

MS. AMY MISCHLER  
1120 PALM COURT  
OKEECHOBEE, FL 34974

FOIPA Request No.: 1433145-000  
Subject: MISCHLER, AMY

Dear Ms. Mischler:

This acknowledges receipt of your Freedom of Information/Privacy Acts (FOIPA) request to the FBI. Below you will find check boxes and informational paragraphs about your request, as well as specific determinations required by these statutes. Please read each one carefully.

- Your request has been received at FBI Headquarters for processing.
- You submitted your request via the FBI's eFOIPA system.
- We have reviewed your request and determined it is consistent with the FBI eFOIPA terms of service. Future correspondence about your FOIPA request will be provided in an email link unless the record's file type is not supported by the eFOIPA system.
- We have reviewed your request and determined it is not consistent with the FBI eFOIPA terms of service. Future correspondence about your FOIPA request will be sent through standard mail.
- The subject of your request is currently being processed and documents will be released to you upon completion.
- Release of responsive records will be posted to the FBI's electronic FOIA Library (The Vault), <http://vault.fbi.gov>, and you will be contacted when the release is posted.
- Your request for a public interest fee waiver is under consideration and you will be advised of the decision if fees are applicable. If your fee waiver is not granted, you will be responsible for applicable fees per your designated requester fee category below.
- For the purpose of assessing any fees, we have determined:
  - As a commercial use requester, you will be charged applicable search, review, and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(I).
  - As an educational institution, noncommercial scientific institution or representative of the news media requester, you will be charged applicable duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(II).
  - As a general (all others) requester, you will be charged applicable search and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(III).

Please check the status of your FOIPA request at [www.fbi.gov/foia](http://www.fbi.gov/foia) by clicking on **FOIPA Status** and entering your FOIPA Request Number. Status updates are adjusted weekly. The status of newly assigned requests may not be available until the next weekly update. If the FOIPA has been closed the notice will indicate that appropriate correspondence has been mailed to the address on file.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



David M. Hardy  
Section Chief,  
Record/Information  
Dissemination Section  
Information Management Division

Exhibit 4

April 8, 2019 FBI Letter to Amy Mischler regarding “unusual circumstances” and additional billing. Two pages



Federal Bureau of Investigation  
Washington, D.C. 20535

April 8, 2019

MS. AMY MISCHLER  
1120 PALM COURT  
OKEECHOBEE, FL 34974

FOIPA Request No.: 1433145-000  
Subject: MISCHLER, AMY

Dear Ms. Mischler:

Please be advised that "unusual circumstances" apply to the processing of your request. See 5 U.S.C. § 552 (a)(6)(B)(iii). "Unusual circumstances" include one or more of the following scenarios:

There is a need to search for and collect records from field offices and/or other offices that are separate from the FBI Record/Information Dissemination Section (RIDS).

There is a need to search for, collect, and examine a voluminous amount of separate and distinct records.

There is a need for consultation with another agency or two or more DOJ components.

These "unusual circumstances" will delay our ability to make a determination on your request within 20 days (excluding weekend and legal public holidays). Additionally, the payment of pertinent fees may apply to your request. See 5 U.S.C. § 552 (a)(4)(A)(viii).

The application of "unusual circumstances" is not a determination of how the FBI will respond to your substantive request, this letter provides notice that these "unusual circumstances" apply to processing and delay the determination of your request. See 5 U.S.C. §§ 552 (a)(6)(A)(viii); (a)(6)(B).

You have the opportunity to reduce the scope of your request; this will accelerate the process and could potentially place your request in a quicker processing queue. This may also reduce search and duplication costs and allow for a more timely receipt of your information. The FBI uses a multi-queue processing system to fairly assign and process new requests. Simple request queue cases (50 pages or less) usually require the least time to process.

Please advise in writing if you would like to discuss reducing the scope of your request. Provide a telephone number, if one is available, where you can be reached between 8:00 a.m. and 5:00 p.m., Eastern Standard Time. Mail your response to: **Work Process Unit; Record/Information Dissemination Section; Information Management Division; Federal Bureau of Investigation; 170 Marcel Drive; Winchester, VA 22602**. You may also fax your response to: 540-868-4997, Attention: Work Process Unit.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



David M. Hardy  
Section Chief,  
Record/Information  
Dissemination Section  
Information Management Division

### Exhibit 5

Email from Public Information Officer for FBI FOIPA stating that the estimated date of completion for FOIPA Request No.: 1433145-000 is June 2021 nearly three years after the July 3<sup>rd</sup>, 2018 incident where Amy Mischler was harassed by FBI Agent Baumgartner at her home under false pretenses.

One page

1433145-000

From: FOIPAQUESTIONS (FOIPAQUESTIONS@FBI.GOV)

To: ajmischler@yahoo.com

Date: Friday, June 21, 2019, 9:54 AM EDT

Dear Ms. Mischler,

Thank you for your inquiry regarding the status of your Freedom of Information Act/Privacy (FOIPA) request. A review of your request has determined the following:

The request is presently awaiting assignment to a Disclosure analyst who will then review the records to determine if any redactions are required pursuant to subsections of Title 5, U. S. Code, Section 552 and 552a.

You may check the status of your request online at <http://vault.fbi.gov> by clicking on the 'Check Status of Your FOI/PA Request' link. Online status reports are updated weekly.

Requests are processed in the order in which they are received through our multi-track processing system. Requests are divided into two primary tracks--simple (under 50 pages of potentially responsive documents) and complex (over 50 pages of potentially responsive documents). Complex requests are further divided into medium, large, and extra-large sub-tracks based upon request size. Simple track requests typically require the least amount of time to process. Currently, simple track cases average approximately 138 days from the date of receipt for processing. Our complex requests in the medium processing track are currently averaging 571 days, large processing track are currently averaging approximately 1,289 days, and extra-large processing track are currently averaging 1,649 days for processing.

Your request is currently in the complex request medium processing track, and the estimated date of completion for your request is June 2021. If your request is considered a complex track, considering reducing the scope of your request may accelerate the process as it could potentially place your request in a quicker processing track. This may also reduce any search and duplication costs, if applicable, and allow for a more timely receipt of your information. If you wish to discuss reducing the scope of your request, please indicate so and a representative will be in contact.

Respectfully,

Public Information Officer

Record/Information Dissemination Section (RIDS) FBI-Information Management Division

170 Marcel Drive, Winchester, VA 22602-4843

Direct: (540) 868-4593

Fax: (540) 868-4391

Questions E-mail: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

Do you have further questions about the FOI/PA process? Visit us at <http://www.fbi.gov/foia>

Please check the status of your request online at <https://vault.fbi.gov/fdps-1/@@search-fdps>. Status updates are performed on a weekly basis.

Note: This is a non-emergency email address. If this is an emergency, please call 911 directly. If you need to report a tip for immediate action, please contact FBI Tips at <http://tips.fbi.gov/> or reach out to your local field office.

Civil Rights Division  
Assistant Attorney General  
Eric S. Dreiband  
Fax 202-514-0293

IMMEDIATE ATTENTION NECESSARY      D.O.J. Mail Referral ID Number 4258887

Notice of Appearance of Impropriety      July 25, 2019

Dear Assistant Attorney General Dreiband,

In May 2019 I requested investigation of Kentucky Governor Matt Bevin using his influence to send the FBI to my home on July 3<sup>rd</sup>, 2018 to harass me and attempt to get documents under false pretenses to give to Governor Matt Bevin that KY had destroyed but that I had retained copies. The Department of Justice Mail Referral unit assigned the ID number 4258887.

I have sued Governor Bevin in Federal Civil Court. He bribed the Federal Judge through giving the judge's lover a job with the state of Kentucky. Both the judge and the Governor withheld notice of the conflict of interest. Governor Bevin's attorneys defaulted and failed to file a timely answer. The Judge in furtherance of the bribery refused to acknowledge the default.

The documents the FBI I requested I "voluntarily" give to them on July 3<sup>rd</sup>, 2018 were relevant to the civil legal action of which Governor Bevin bribed the federal judge.

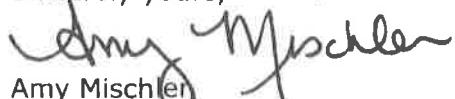
I requested an update of ID number 4258887 on July 17, 2019. Your division did not contact me back.

Last night Governor Bevin posted on twitter how he spent time with President Trump on July 24, 2019. Attached is a print off copy. This communication with attachments is in anticipation of bad faith by the Department of Justice, the Trump Administration, and necessary litigation to enforce the Rule of Law of which, the D.O.J. does not seem capable of.

Why is someone who bribed a federal judge allowed to have access to President Trump? Am I to assume that President Trump will order the Department of Justice to clear Governor Bevin without investigation like what James Comey did with the investigation of Secretary of State Hillary Clinton email servers?

This is notice of the impropriety of appearance to the Department of Justice of the contact between the President and Governor who should have an open criminal case against him. I am requesting a special counsel to be appointed because this picture suggests that the Trump Administration is going to whitewash the criminal conduct of Kentucky Governor Matt Bevin.

Sincerely yours,



Amy Mischler  
1120 Palm Court  
Okeechobee, Florida 34974  
863-801-1877  
ajmischler@yahoo.com

n/status/1154218477630234624

← Tweet



Matt Bevin •  
@MattBevin

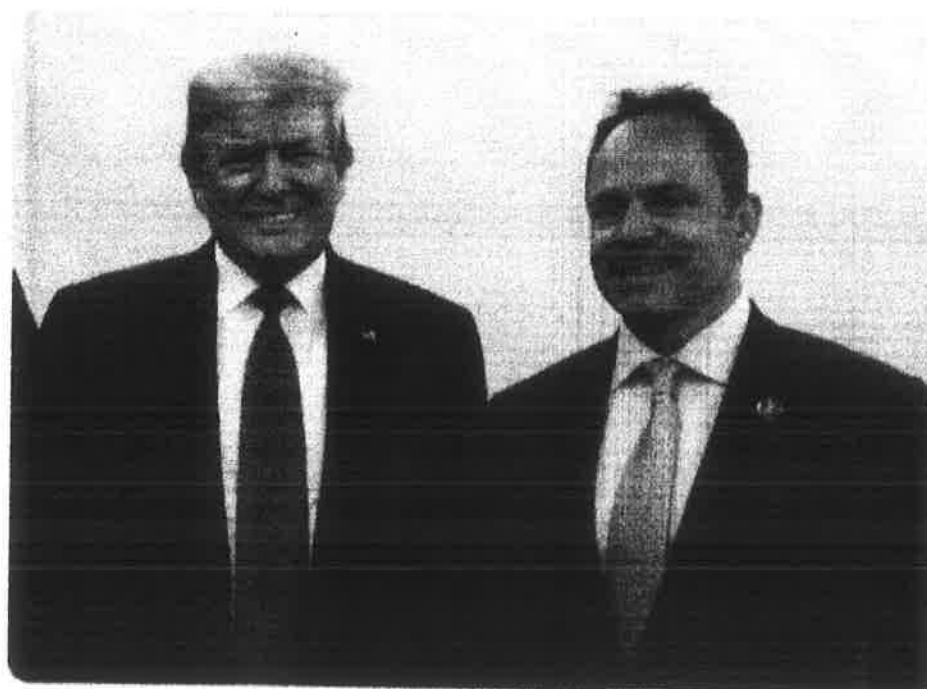
Retweet



Great to spend time this evening with @POTUS,  
@realDonaldTrump...



Grateful for his support for Kentucky and for working  
class men and women across America...



Mira

#Mira

Help i  
at par

Pro

1 Retwe

#SC2M

2 Retwe

#sipc

3 Retwe

#Thur

49.9K

Re  
To

4 Retwe

#Clin

Trend

AZ

10:35 PM · Jul 24, 2019 · Twitter for iPhone

36 Retweets 239 Likes



... 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



U.S. Department of Justice

Mail Referral Unit

Washington, D.C. 20530

May 14, 2019

Amy Mischler  
1120 Palm Court  
Okeechobee, FL 34974-0526

Dear Friend:

Thank you for your letter dated May 9, 2019 to the Attorney General, Deputy Attorney General, or Associate Attorney General, which was received by the Department of Justice, Mail Referral Unit, on May 14, 2019 and assigned ID number 4258887.

Your letter will be reviewed and if a response or an update is necessary it will be sent to you within 60 business days. If you have any questions, please contact us at (301) 583-7350 and refer to your ID number 4258887 when requesting any information concerning your correspondence.

Sincerely,

Mail Referral Unit  
Department of Justice

TRANSMISSION VERIFICATION REPORT

TIME :: 07/25/2019 12:47  
NAME :: THE UPS STORE  
FAX :: 8636235837  
TEL :: 8636234930  
SER. #: U63315M2J319103

DATE, TIME	07/25 12:45
FAX NO./NAME	12025140293
DURATION	00:01:48
PAGE(S)	03
RESULT	OK
MODE	STANDARD

(R. 12/03)

Date Received: 10-11-06

Assignment Received From: Commissioner

Specialist Assigned: DDile

Date Administrative Staff Informed of Assignment:

Due Date to Director: 10-20-06 Extension requested on 10-20-06

**Assignment Overview:**

Review complaint and prepare an assignment outline

The assignment was a complaint from the NM, Amy Mischler. The complaint was in the form of an affidavit where the NM listed several situations she thought the courts should consider in the custody/visitation battle.

**List what was accomplished to complete the assignment (bullet point format):**

This reviewer contacted the DCBS worker, Kathy Larder. She received a copy of the affidavit and reviewed the NM's allegations. Her response was that the allegations had been investigated or did not meet criteria for investigation. The NM included several situations that she was uncomfortable with, but it did not raise to the level of an investigation.

There are two prior referrals in Twist regarding this family:

1. 04-06 Neglect was investigated and originally unsubstantiated based on information obtained. However, the NF filed an EPO and the courts overturned custody to the NF. DCBS was forced to change our finding to match the courts according to SOP. (The NM feels that this agency is deliberately sabotaging her attempts to fight her ex-husband). This is one example where this agency attempted to unsubstantiated but had to match the courts findings. The unsubstantiation appears to be an appropriate finding.
2. 05-06 This referral was added to open the case as court ordered by the Judge. This case is being directed by the court system and custody of the children is now with the NF with supervised visits with the NM.

**Recommendations (where appropriate):**

None-----After review of the investigations the courts have forced this agency to change its finding as well as open a case.

Date completed and returned to Administrative Staff for Directors review and distribution:  
09-03-06 Extension was requested and granted on 10-20-06.

**Exhibit 6**

(Attachment D)

Specialist Assigned: DDile

Date Administrative Staff Informed of Assignment:

Due Date to Director: 3/23/2007

Assignment Overview:

- Review complaint

This is the second complaint made by Ms. Mischler. The first complaint is from Oct. 2006 and is attached.

The second complaint is dated 3-15-07 and is addressed to Ms. Shereena Hamilton the SSW in Pike Co. This worker is both the intake worker and then was transferred to on-going where she was the on-going worker. The Intake FSOS is Kathy Larder and the On-going FSOS is Wilma Taylor.

Ms. Mischler states that the purpose of the letter is threefold. "First, it's a demand letter that you observe my due process rights. Second, it is notice of irregularities to Cabinet official who are in charge of supervising you, and third it's an open records request."

The following information was pulled from the letter and will be considered as the complaint:

- She complains that she did not receive a referral for Seven County Services.
- She states that she has never received a finding letter from the Cabinet, however, in her first complaint she was aware that she had a substantiated finding against her for neglect.
- She has not spoken to her worker since December 2006.
- She states that the DVO that caused this agency to change its finding has been vacated.
- She states that this agency was court ordered in May to offer her services and we did not begin this until Dec. 2006
- She states that in November she was told this agency was transferring the case to Jefferson co. and this still has not happened.
- She claims that she has made allegations against her ex-husband and this agency is failing to act because he is an attorney in Pike Co.

List what was accomplished to complete the assignment (bullet point format):

- Review Twist information # 205338

T/C to Wilma Taylor On-Going FSOS—This reviewer faxed her a copy of the letter to Ms. Hamilton from Ms. Mischler dated 3-5-2007. FSOS states that she has not read this letter but was aware that her worker had received it.

She states that the first investigation came in May 2006 and was substantiated to match the courts findings. She was not aware that the DVO had been vacated and agreed to research this and ask her legal staff to get involved if needed. This is relevant because this agency changed its unsubstantiated finding to substantiated to match the court finding of neglect in regards to this DVO.

(Attachment D)

Exhibit 7

Exhibit 7  
20  
24/44

- A new referral was entered in December of 2006 in order to open the case. It is not known why this happened but, it is probably because the finding on the May referral was entered and closed. Either way it has added a second substantiated finding to the NM's CAN registry and should be corrected. The FSOS is also working on this in order to change the finding. She agreed to call twist if necessary.
- She was not sure that a referral was completed for the NM to attend SCS. She will discuss with the worker.
- She says that a case plan was done with the NM in December. It is unknown if any other contact has occurred with the NM. On the case plan it says that DCBS will make monthly visits to the NM and this has not happened.
- The FSOS states that this is because the case was going to be transferred to Jefferson Co. but they would not accept the case without the hard file. Then Shelbyville was going to take the case and now Johnson Co. is going to take the case. This is to avoid a professional conflict due to the NF is also an attorney in Pike Co. The FSOS says that her FSOS is out this week and she is unsure when this transfer is going to take place.

It appears due to various reasons services have not been offered to this NM. It is difficult to determine as the case is lost and the county is experiencing multiple problems with past dues and staff shortages.

May 2006-Substantiated neglect only because the court changed its finding—This agency was court ordered to offer the NM services. (This reportedly did not occur due to past dues)  
December 2006-Case is lost and a third referral is added to open the case (This created an substantiation against the NM that is not accurate).

December 2006-Case plan was complete with the NM, monthly visits have not occurred as we agreed on the case plan and the case has not been transferred as we agreed.

March 2007-A finding letter was mailed to her alerting her to a substantiation of neglect in May of 2006.

3-23-2007

Conferenced this situation with Mona and Bruce. We spoke with the SRA, Susan Howard and discussed the above concerns. The assignment outline was emailed to her as requested on 3-23-2007.

Response was emailed from FSOS Wilma Taylor:

1. Shereena Hamilton did call Seven Counties to inform intake of Ms Mischler would be calling for an appointment for an intake, she was not informed to complete any type of referral. Shereena assumed Ms Mischler would follow up in making her appointment.
2. I will need Shereena to clarify the order to dismiss, if that will include the finding of neglect.

(Attachment D)

25/44

another county to continue services; Mr. Wilcox will make arrangements for Johnson County to take case responsibility since court has been transferred from Floyd County to Johnson County Court.

4. Jenny Cook from Floyd County intake team (606-889-1724) is addressing the new allegations regarding Mr. Stevens (father). The supervisor is Angela Baldwin.

5. Ms Wilcox and I will need to work on changing the finding of referral #3 to change the finding. Ms Mischler as far as we know only has the one substantiation and we will make sure the case reflect that.

6. Shereena has not had contact with Ms Mischler since 11/06, the case plan visit, Shereena did make a visit to the father's home. As we talked yesterday, the mother had moved and the worker did not know her whereabouts for some time, then she was reportedly in Shelby County, I called in attempt to transfer the case to find out she moved to Jefferson County with her mother, I did contact Jefferson County in attempts to transfer the case, I decided to keep the case in Pike County due to the father having custody of the children. LaToya Jones, Jefferson County DPP is providing courtesy services to Ms Mischler.

I have already sent you the case plan, finding letter and court order that ordered family services to be provided to the family. If I have left any thing out please let me know.

Thanks

3-23-2007--Letter was sent to Ms. Mischler (see attached)

Recommendations (where appropriate):

- Re-create Case-This is currently being done.
- Assist her with applying for open records - Carrie Hall agreed to do this.

(Attachment D)

26  
44

Case#1:19-cv-02937-TSC Document 1 Filed 10/01/19 Page 61 of 77

- Case#1:19-cv-02937-TSC Document 1 Filed 10/01/19 Page 61 of 77
- Explore further if court order substantiating neglect on the children, has been appealed.
- The regional office is currently doing this
- Add the allegations against the NF into twist and assess for acceptance/services. The regional office is currently doing this.
- Correct the findings in referral #3, so that the NM is not on the central registry for neglect on two separate occasions, as this is not correct. Regional office has agreed to do this.

Date completed and returned to Administrative Staff for Directors review and distribution:  
03-23-2007

(Attachment D)

27/44

DCBS Number: 205338

DCBS Name: Amy Mischler

ONG-2

**COMMONWEALTH OF KENTUCKY  
CABINET FOR FAMILIES AND CHILDREN  
DEPARTMENT FOR COMMUNITY BASED SERVICES**

**CONTINUOUS QUALITY ASSESSMENT  
ONGOING - CPS NARRATIVE OUTLINE**

**CONFIDENTIAL**  
*This Information May  
 Not Be Disclosed*

Date CQA Approved:

5/25/07

**I. MALTREATMENT/PRESENTING PROBLEM:**

May 22 2007 10:59 AM - Shereena Hamilton (BS-MSW-SSC1)

Since this case has been opened, there have been no more reported incidents or allegations against Ms. Mischler. The case was court ordered to be opened. She is going to start initiating her services in Jefferson County as that is where she is now residing. Referrals were made for her to complete a mental health assessment to see if she needs mental health treatment and to complete a parenting assessment, however Amy says the referrals were not made with Seven Counties. She now has a courtesy worker in Jefferson County, LaToya Jones, that has set up her mental health appointment in June at Seven Counties, which is the fastest they could get her in.

DPP history is as follows:

Referral 1: 08-09-02 It was an I&R report.

Referral 2: 04-20-06 This report was substantiated, however it was the same as referral # 3, therefore it was decided that the report would be unsubstantiated and the finding was changed.

Referral 3: This report reflects it was on 10-17-06, however it was in May of 2006. The wrong date was put in. This report was substantiated, however there has been a CAPTA hearing and the decision has not been decided whether it will be overturned or not.

The rating for this section is 2.

CPS RATING
------------

1
---

**II. UNDERLYING CAUSES:**

May 18 2007 8:50 AM - Shereena Hamilton (BS-MSW-SSC1)

This case was opened due to receiving a court order to open the case. The allegations prior to the court order were as follows [REDACTED]

[REDACTED]

Worker and co-Worker Gwendolyn Hatfield traveled to Louisville (Jefferson County) on Monday, November 27, 2006 to transition the case since Amy moved from Pikeville to Jefferson County. Worker explained that the case was court ordered to be opened through family court. Worker was able to speak with Amy, her mother, and her sister, Sandy Mador. All were cooperative at that time and Amy's family stated they would support her in completing any recommendations.

**Exhibit 8**

*Exhibit 8 + 28*

*30/44*

205338  
Amy Mischler

INV-2

415

sicker.

Worker then received an EPO that was filed on behalf of the children by Jonah. See hard copy. The EPO was granted and he received temporary custody of the children. He filed an amended peice and the visitation Amy was getting was to be supervised. Worker staffed the case with Ms. Larder again and was advised worker had to substantiate report based on Mr. Stevens filing the same allegations on behalf of his children and having the DVO granted. Worker then received notice that the case was court ordered to be opened. See referral #3.

Kathy Larder received this report on 04-20-06 and law enforcement was notified of the report by centralized intake. Worker received the report on 04-20-06 and initiated the report on the same day after consulting with FSOS, Kathy Larder. In the staffing of the case, worker was advised to assess risk to the children and see if services were needed. CA/N, AOC, and LINK checks were completed at that time. A (72-hour) second notification was given to law enforcement on 04-20-0. Worker assessed case and CQA risk assessment guidelines were utilized and moderate risk was found. Comprehensive family services and family team meetings were discussed with the family and they did not want the services at this time. Mrs. Mischler was notified of the findings and was given a 154 and 155 form by certified mail. Worker also explained Hippa to her and gave her a copy of the forms. This report is substantiated. It was court ordered to be opened. See referral #3. This case is being opened in connection with the court order in referral 3.

Oct 20 2006 9:51 AM - Shereena Hamilton (BS-MSW-SSC1)

error

CONFIDENTIAL  
This Intake may  
Not Be Substantiated

Date: \_\_\_\_\_

Worker Signature

If Applicable

Supervisor Signature

Date: \_\_\_\_\_

If Applicable

HISTORY OF OVERRIDE INFORMATION:

Primary Individual	Other Individual	Incident	Program/SubProgram	Supervisor Results	Override Date	Override Reason
Tucker Stevens	Amy Mischler	1	Neglect	Substantiated		
Tucker Stevens	Amy Mischler	1	Neglect	Unsubstantiated	Mar 23, 2007	Additional Information
Zachary Stevens	Amy Mischler	1	Neglect	Substantiated		
Zachary Stevens	Amy Mischler	1	Neglect	Unsubstantiated	Mar 23, 2007	Additional Information

Referral Results Override Date:

3/23/2007

Referral Results Override Reason Notes Summary:

Mar 23 2007 11:30 AM - Debra Wilcox (BS-SRAA)

24

Exhibit 9

DCBS Number: 205338  
 DCBS Name: Amy Mischler

INV-3

Worker Signature

*If Applicable*

Date: \_\_\_\_\_

Supervisor Signature

*If Applicable*

Date: \_\_\_\_\_

**HISTORY OF OVERRIDE INFORMATION:**

Primary Individual	Other Individual	Incident	Program/SubProgram	Supervisor Results	Override Date	Override Reason
[REDACTED]	Amy Mischler	1	Neglect	Substantiated		
[REDACTED]	Amy Mischler	1	Neglect	Unsubstantiated	Jul 19, 2007	Additional Information
[REDACTED]	Amy Mischler	1	Neglect	Substantiated		
[REDACTED]	Amy Mischler	1	Neglect	Unsubstantiated	Jul 19, 2007	Additional Information

Referral Results Override Date: 7/19/2007

## Referral Results Override Reason Notes Summary:

Jul 19 2007 11:39 AM - Gretchen Marshall

The findings were reversed following a CAPTA. The final order (signed on 7/13/07) was received in Quality Assurance on 7/19/07.

THE POC IS  
NOT BEING USED

Exhibit 10  
G X h b + 2)

29/44

140

FINAL DRAFT

128032703

Staff Name: JONES-GRAY(BSW-SSC), EMILY REGENEA  
On Behalf Of: Amy Miebler, 4  
Contact Type: Paperwork / Notifications  
Contact Location: DCBS Offices  
Service Activities: Referral for Services  
Case Plan Objectives:  
Comments:

Dec 3 2008 12:38PM Emily Jones-Campbell (2014-2920)

Warren County Jones, DOB: 1970-07-20 gender: M on 12-05-2008.

Worker Emily Jones, BSW, LCSW received this referral via fax from Jefferson County DPP on 12-03-2006 on an EPO. The EPO is dated for 12-03-2006. This referral does not meet the criteria for an APS Investigation per SOP 4A.2 (9) - adults are not married and do not live together. This referral does not meet the criteria for a CPS Investigation per 7A.4 (1a) - generalized feelings of concern. No specific abuse allegations are made for emotional abuse.

#### **THEIR HISTORY:**

Digitized by srujanika@gmail.com

- 1. 05-10-2002 I & R
- 2. 02-28-2007 CPS Neglect - unadfd
- 3. 05-11-2007 APS RL
- 4. 10-03-2008 CPS RL
- 5. 08-04-2010 CPS RI

~~Buy Meister 1270259~~

**1. 09-19-2002 APS 1 & R  
2. 04-20-2006 CPS Neglect - subd  
3. 05-25-2005 CPS Neglect - subd, but confirmed to unsubd to CAPTA**

*Journal of Clinical Endocrinology*

附录

Awards at Microsoft's Software Development Platform 824800

## **Contact**

SPAN 123

CONTINUE

**Staff's Name:** ADKINS (BS-F300), DEBORAH  
**On Behalf Of:** Amy Miechel, C  
**Contact Type:** Paperwork / Notifications  
**Contact Location:** DCBS Office  
**Service Activities:** Investigation/Assessment  
**Case Plan Objectives:**  
Greenbook

Sep 19 2007 12:00AM Bridge Action (E-E) 000

JC-3 dated 06-11-08, received in DPP office 06-11-07. Referral does not meet criteria for an investigation (furtherance over return of children), entered as a resource linkage. JC-3 noted no injuries or complaint of pain, no damage. Two children were present: [REDACTED]

Fu Record

PAGE 1 of 3

Created/Printed: 1/15/2016 9:50:49 AM

24

## **Exhibit 11**

3/4

1  
30.

## Individual Summary Face Sheet

Id: 656903	Date Received: Aug 19 2002	
Program/ Subprogram: Insufficient Information		
Completed By: BRANHAM (BSS-FSOS), DELPHIA		
<b>Allegations/Concerns:</b>		
Petitioner filed Domestic Violence Petition/Motion.		
Intake Id: 690095	Date Received: Aug 19 2002	
Program/ Subprogram: Insufficient Information		
Completed By: BRANHAM (BSS-FSOS), DELPHIA		
<b>Allegations/Concerns:</b>		
Has made verbal threats in past. Spit on me yesterday. It was the first time it was physical. Took place yesterday, July 21, 2002 around 12:00 on his grandfather's porch. I have been frightened of him since his extreme weight loss and personality change. He is bringing the children with him to court to gain sympathy today.		
Case# 205388	Intake Id: 690097	
Date Received: May 25 2006	Date Accepted: Oct 19 2006	
Staff Determination: Meets Acceptance Criteria	Staff Assigned: HAMILTON (BS/MSW-SSCI), SHEREENA	
Outcome: In home ongoing case	Status: Complete	
<b>Allegations/Concerns:</b>		
Oct 18 2006 11:48AM Shereena Hamilton (BS/MSW-SSCI) We received a court order to open the case.		
MISCHLER, AMY	Basic Neglect	Unsubstantiated
MISCHLER, AMY	Basic Neglect	Unsubstantiated

## Exhibit 12

EXHIBIT D

19/44  
8/9

## Individual Summary Face Sheet

205336  
 Date Received: Apr 20 2006  
 Staff Determination: Meets Acceptance Criteria  
 Outcome: Close Referral  
 Allegations/Concerns:

Intake Id: 690096  
 Date Accepted: Oct 19 2006  
 Staff Assigned: HAMILTON (BSMSW-  
 SSC), SHREENA  
 Status: Complete

No actual Referral  
 Oct 18 2006 11:43AM Shereena Hamilton (BSMSW-SSCI)  
 It was reported that Amy took the children in the heat of the day and protested in front of the courthouse stating their father would not provide medical insurance for them. It was reported that one of the children had strep throat and Amy did not get his medication after the father tried to provide her with the money.

[REDACTED] MISCHLER, AMY

Basic Neglect

Unsubstantiated

[REDACTED] MISCHLER, AMY

Basic Neglect

Unsubstantiated

205336 MISCHLER, AMY Aug 19 2002

WEBB (BSW-  
 FSOS), DEBORAH Johnson

80/44

9/9

Case No. 02-D-0002-007

AOO-275.1  
Rev. 5-02  
Page 3 of 3

**MOTION FOR RELIEF**

Petitioner OR [ ] Petitioner on behalf of minor child(ren), requests that the Court:

(1) Issue an **emergency protective order** based on the presence of an immediate and present danger of domestic violence and abuse to:

[ ] restrain Respondent from committing any further acts of domestic violence and abuse; and/or

[ ] restrain Respondent from any contact or communication with Petitioner except as directed by the Court; and/or

[ ] restrain Respondent from disposing of, or damaging, any property of the parties; and/or

[ ] direct Respondent to vacate residence shared by the parties located at (specify address):

[ ] grant temporary custody of minor child(ren);

[ ] award temporary child support in accordance with Ky Child Support Guidelines. I will, if possible, document income of both parents at the hearing by producing income tax returns, paystubs or employer statements. If either parent is self-employed I will, if possible, produce receipts and expense statements. I understand Respondent will also be notified by summons to produce these documents.

[ ] grant other relief which would assist in stopping further domestic violence (describe): \_\_\_\_\_; and,

(2) Cause a summons to be issued for Respondent, setting a date, time and place for a hearing to consider all relief to which Petitioner may be entitled, including those matters contained in paragraph (1) on this page of this motion, and as appropriate, mandatory counseling for Respondent and other relief as may be authorized by statute.

ENTERED

JUL 2 2002

Petitioner states the allegations contained herein are true on information and belief.

**Petitioner's / Movant's Signature:** \_\_\_\_\_  
 Subscribed and sworn to before me on 7-22 2002  
 Date 7-22 2002 *Jennifer Billingsie* Name  
*Deputy Clerk* Title  
\*Must be signed by circuit clerk or other individual authorized by Court to produce and serve emergency motions.

**COURT ACTION:**  
 EPO/Summons: \_\_\_\_\_ Issued: [ ] Denied: [ ]  
 Summons: [ ] Issued [ ] Denied because \_\_\_\_\_  
 Date 7-22 2002 *Jerry J. Miskler* Judge  
*Jerry J. Miskler*  
 Page 3 of 3  
 10/10

&lt;div&gt;&lt;/div&gt;

3 of 3

## Exhibit 15

ACG - 275-1 Rev. 5-02 Page 1 of 3 Commonwealth of Kentucky Court of Justice KRS Chapter 403	Doc. Code COM		Case No. <u>04-D-00000-000</u>				
		DOMESTIC VIOLENCE PETITION / MOTION	Court <u>Family</u> County <u>Pike</u>				
<input type="checkbox"/> <u>JEN</u> First		<u>TESSIE</u> Middle		PETITIONER			
<input type="checkbox"/> <u>JEN</u> First		<u>TESSIE MCKEEVER</u> Middle		RESPONDENT			
Last							
Information about Respondent:							
Current Residence: <u>931 TE Norton Ave</u>							
Usual Residence: <u>SW 12</u>							
Occupation: <u>STUDENT</u>							
Employer Name: <u>FIRE DEPT</u>							
Employer Address: <u>100 E Main St</u>							
Sex	Race	Birthdate	Height	Weight	SSN	Operator License #	State
<input checked="" type="checkbox"/> F	<input checked="" type="checkbox"/> Black	<input checked="" type="checkbox"/> 1966	<input checked="" type="checkbox"/> 5'5"	<input checked="" type="checkbox"/> 280	<input checked="" type="checkbox"/> 1.8	<input checked="" type="checkbox"/> 111-2	<input checked="" type="checkbox"/> KY
CAUTION: <input type="checkbox"/> Weapon involved <input type="checkbox"/> Believed to be armed and dangerous							
<input type="checkbox"/> Parties have a <input type="checkbox"/> custody <input type="checkbox"/> dissolution action pending in _____ Circuit Court <input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Petitioner, on behalf of minor child(ren) says that on _____ Z in _____ County, Kentucky, the above-named Respondent engaged in act(s) of domestic violence and abuse, in that: <p><u>On 2-5-2007, I received a phone call from my son, T. L. W., telling me that Petitioner had come to their home. He was going to take my son, T. L. W., away. Petitioner threatened him, hit him, and pushed him. Petitioner also threatened to take my son, T. L. W., to another state.</u></p> <p><u>Because I thought the law was going to help me, I called the police. They came and took Petitioner into custody. Petitioner has been released from custody.</u></p> <p><u>When Petitioner left, he took my son, T. L. W., with him. I have not seen my son, T. L. W., since he left.</u></p> <p><u>I am afraid that Petitioner will come back to my home again. I am afraid that Petitioner will take my son, T. L. W., again.</u></p>							
Petitioner: <input type="checkbox"/> Court Fee <input type="checkbox"/> Petitioner Respondent recd with blacked-out portion served with summons! Local Department for Community Based Services (DCFS) Court Clerk or County of Petitioner's usual residence if different Law enforcement agencies designated for service Law enforcement agency/court/agency/center responsible for LINK entry <b>"URE ENTRIES IN BOXES ARE COMPLETE, ACCURATE AND LEGIBLE TO ALLOW PROMPT ENTRY INTO LINK IF ORDER OR JUDGMENTS ISSUED</b>							
*If additional space is needed for the factual statement, type on a separate sheet of paper and attach to the Petition/Motion							

<div></div>

1 of 3

## **Exhibit 16**

AOC-275.1  
Rev. 5-02  
Page 3 of 3

Case No. 02-D-0202-004

MOTION FOR RELIEF

1 Petitioner OR [ ] Petitioner, on behalf of minor child(ren), requests that the Court:

(1) Issue an emergency protective order based on the presence of an ~~unsubstantiated~~ and present danger of domestic violence and abuse to:

[ ] restrain Respondent from committing any further acts of domestic violence and abuse; and/or  
[ ] restrain Respondent from any contact or communication with Petitioner except as directed by the Court and/or  
[ ] restrain Respondent from disposing of, or damaging, any property of the parties; and/or  
[ ] direct Respondent to vacate residence shared by the parties located at (specify address)

[ ] grant temporary custody of minor children.

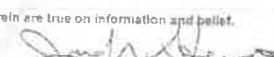
[ ] award temporary child support in accordance with Ky Child Support Guidelines. I will, if possible, document income of both parents at the hearing by producing income tax returns, paystubs or employer statements. If either parent is self-employed I will, if possible, produce receipts and expense statements. I understand Respondent will also be notified by summons to produce these documents.

[ ] grant other relief which would assist in stopping further domestic violence (describe)

from [REDACTED] in [REDACTED] in [REDACTED]

(2) Cause a summons to be issued for Respondent setting a date, time and place for a hearing to consider all relief to which Petitioner may be entitled, including those matters contained in paragraph (1) off this page of trial motion, and as appropriate, mandatory counseling for Respondent and other relief as may be authorized by statute.

Petitioner states the allegations contained herein are true on information and belief.



Petitioner's / Movant's Signature

Subscribed and sworn to before me on \_\_\_\_\_ 2 \_\_\_\_\_

Date \_\_\_\_\_ 2 \_\_\_\_\_

\*Name

Title

\*Must be signed by circuit clerk or other individual authorized by Court to provide and verify emergency petitions.

EPO/Summons: [ ] issued [ ] Denied because:

Summons: [ ] issued [ ] Denied because:

COURT ACTION:

Date: July 22, 2012

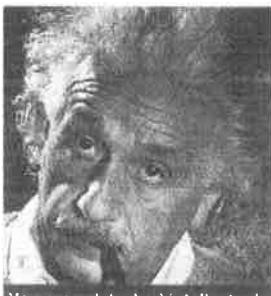
Judge

Page 3 of 3

23/10

<div></div>

3 of 3



**You are a detached intellectual whose ideas saved/will destroy the world.** You are Einstein. You lead with your mind exploring the unknown and helping to invent the future of mankind.

What Famous Leader Are You?  
personality tests by similarminds.com

COMMONWEALTH OF KENTUCKY  
 PIKE DISTRICT COURT  
 FAMILY COURT DIVISION  
 BEFORE: HON. JULIE PAXTON, SPECIAL JUDGE

ACTION NO. 02-D-00202-001  
 02-D-00202-002

ENTERED  
 SEP 23 2002  
 DAVID DEG  
 PIKE COUNTY CLERK  
 BY: [Signature] CLERK  
 U.C.

AMY MISCHLER

PETITIONER

vs.

ORDER

JONAH STEVENS

RESPONDENT

\* \* \* \* \*

This cause having come before the Court on cross-petitions for the issuance of a Domestic Violence Order and the Petitioner, Amy Mischler, having been present and unrepresented by counsel, and the Respondent, Jonah Stevens, having been present and represented by Agnes Sipple Trujillo, Esq. and the Court having heard the testimony of the parties and being otherwise sufficiently advised,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Both petitions be and the same are hereby DISMISSED;
2. The Court notes that certain motions regarding custody and visitation have been filed in the parties' divorce case, but that the following custody and visitation arrangement is acceptable pending a hearing on said motions. Pending such a hearing, the parties' minor children shall remain at the at the Respondent's mother's home.
3. The Respondent shall have access to his minor children up through 6:30 p.m. each evening, Monday through Friday, with the right to make arrangements for the parties' oldest child to be

58  
10

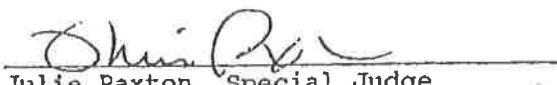


Exhibit 17

taken and picked up from school.

4. The Petitioner shall have access to the parties' minor children from Friday at 6:00 p.m. until Sunday at 6:00 p.m. The parties' minor children shall be picked up and returned to the Respondent's mother's home outside of the presence of the other party. The parties' children shall remain in Pike County during the pendency of this action.

IT IS SO ORDERED this the 18 day of September, 2002.

  
Julie Paxton, Special Judge

CERTIFICATE OF SERVICE:

I certify that a true copy of the foregoing Order has been mailed to all attorneys and/or parties of record on this the 23 day of September, 2002.

DAVID DESKINS, CLERK  
PIKE CIRCUIT COURT

By:  D.C.

59  
90

ENTERED  
DEC 13 2006  
*[Signature]*

COMMONWEALTH OF KENTUCKY  
PIKE FAMILY COURT  
CIVIL ACTION NO. 01-CI-01197  
HON. JOHN DAVID PRESTON, SPECIAL JUDGE

IN RE: THE MARRIAGE OF:

JONAH STEVENS PETITIONER

VS ORDER

AMY MISCHLER RESPONDENT

This action was called for hearings on motions on December 12, 2006, with Petitioner being present and being represented by Hon. Wesley Duke, and the Respondent being present, but not represented by counsel. Having heard the arguments of the attorney or party, IT IS ORDERED as follows:

1. The Petitioner's motion to extend the DVO was withdrawn and the same is considered moot.

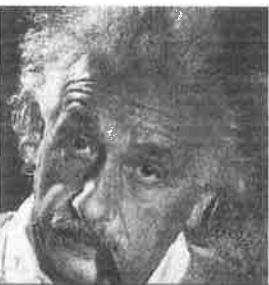
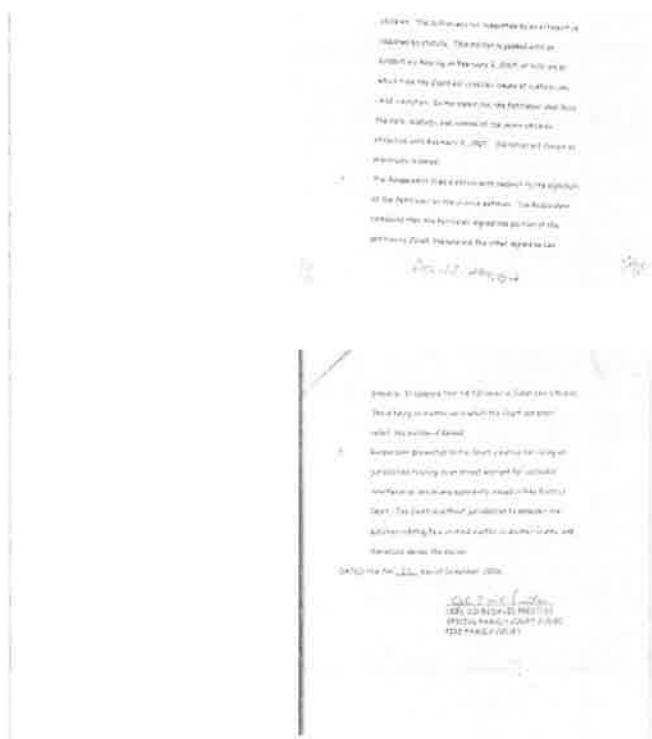
2. The Respondent made a motion to dismiss the Domestic Violence Order. The Court has reviewed the order, and finds that insufficient grounds were stated in the petition for the issuance of a Domestic Violence Order. KRS

Exhibit 7

3/6

<div></div>

1 of 3



You are a detached intellectual whose ideas saved/will destroy the world. You are Einstein. You lead with your mind exploring the unknown and helping to invent the future of mankind.

What Famous Leader Are You?  
personality tests by similarminds.com

**Exhibit 18**



**U.S. Department of Justice**  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

---

Telephone: (202) 514-3642

Amy Mischler  
1120 Palm Court  
Okeechobee, FL 34974  
[ajmischler@yahoo.com](mailto:ajmischler@yahoo.com)

Re: Appeal No. DOJ-AP-2019-005680  
Request No. 1433145  
MWH:JNW

**VIA: Email**

Dear Amy Mischler:

This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation was received in this Office on June 28, 2019. You appealed from the FBI's denial of your request for expedited treatment of your Freedom of Information Act request. I note that you also appealed from the FBI's invocation of unusual circumstances and the fee waiver determination made by the FBI.

In your appeal letter, you assert that your request is entitled to expedited treatment pursuant to the first, second, third, and fourth standards enumerated in the Department of Justice's regulations. Expedited treatment pursuant to the first standard will be granted where not doing so "could reasonably be expected to pose an imminent threat to the life or physical safety of an individual." 5 U.S.C. § 552(a)(6)(E)(v)(I). See also 28 C.F.R. § 16.5(e)(1)(i) (2018). Under the second standard, you must show that there is "[a]n urgency to inform the public about an actual or alleged Federal Government activity, if made by a person primarily engaged in disseminating information." 5 U.S.C. § 552(a)(6)(E)(v)(II). See also 28 C.F.R. § 16.5(e)(1)(ii) (2018). Under the third standard, you must show that the request involves "[t]he loss of substantial due process rights." 28 C.F.R. § 16.5(e)(1)(iii) (2018). Under the fourth standard, you must show that the subject matter of your request is a "matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence." Id. at § 16.5(e)(1)(iv). This Office makes determinations regarding the first three standards, while the Department's Director of Public Affairs makes determinations regarding the fourth standard. See id. at § 16.5(e)(2).

After carefully considering your appeal, I am affirming the FBI's action in denying your request for expedited treatment. Regarding the first standard, Congress noted that the "categories for compelling need are intended to be narrowly applied." H.R. Rep. No. 104-795, at 26 (1996). Congress further stated: "A threat to an individual's life or physical safety qualifying for expedited access should be imminent. A reasonable person should be able to appreciate that a delay in obtaining the requested information poses such a threat." Id.; see also, e.g., Cleaver v. Kelley, 427 F. Supp. 80, 81 (D.D.C. 1976) (criminal defendant, facing possible "loss of freedom

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or life" in imminent state prosecution, demonstrated "exceptional and urgent need to obtain any and all information that could prove exculpatory"); Exner v. FBI, 443 F. Supp. 1349, 1353 (S.D. Cal. 1978) (requester obtained expedited treatment after leak of information exposed her to harm from organized crime figures), aff'd, 612 F.2d 1202 (9th Cir. 1980). Based on the information that you have provided, I have determined that you have not met your burden under the first standard. You have not presented any facts that demonstrate how a delay in processing your request would pose an imminent threat to the life or physical safety of any individual. Without such proof, expedited processing pursuant to the first standard is not warranted.

Regarding the second standard, in deciding whether you have demonstrated that there is an "urgency to inform the public" under 28 C.F.R. § 16.5(e)(1)(ii) (2018), I considered three factors: "(1) whether the request concerns a matter of current exigency to the American public; (2) whether the consequences of delaying a response would compromise a significant recognized interest; and (3) whether the request concerns federal government activity." Al-Fayed v. CIA, 254 F.3d 300, 310 (D.C. Cir. 2001). Although your request concerns a federal government activity, you have not established that the requested records are a matter of current exigency to the American public, nor that delaying a response would compromise a significant recognized interest. Furthermore, you have not demonstrated that you are "primarily engaged" in disseminating information. See Landmark Legal Found. v. EPA, 910 F. Supp. 2d 270 (D.D.C. 2012) (noting that plaintiff must be "primarily, and not just incidentally, engaged in information dissemination"); ACLU of N. Cal. v. DOJ, No. 04-4447, 2005 WL 588354, at \*14 (N.D. Cal. Mar. 11, 2005) (holding that information dissemination must be "*the* main activity" rather than merely "*a* main activity" of plaintiff to satisfy expedition standard). Without such a showing, expedited processing pursuant to the second standard is not warranted.

Regarding the third standard, courts have held that requests for expedited treatment for due process reasons generally should not be granted unless requesters show that they are "facing grave punishment" in a pending criminal proceeding and that "there is a reason to believe that the information produced will aid in the individual's defense." Aguilera v. FBI, 941 F. Supp. 144, 150 (D.D.C. 1996). Based on the information that you have provided, I have determined that you do not meet this test because you have not demonstrated that the information sought will aid in any criminal defense, or that you are facing grave punishment. Without such a showing, expedited treatment pursuant to the third standard is not warranted. Accordingly, the FBI properly denied your request for expedited treatment under the third standard.

The Director of Public Affairs considered your request for expedited processing under the fourth standard and determined that your request should be denied. I agree with the determination of the Director of Public Affairs that expedited treatment of your request is not warranted under this standard because you have failed to sufficiently demonstrate that the subject of your request is "[a] matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence." 28 C.F.R. § 16.5(e)(1)(iv) (2018). Accordingly, the Director of Public Affairs properly determined that you failed to meet your burden under the fourth standard for expedited processing.

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Additionally, I am affirming the FBI's action on your request in invoking unusual circumstances. The records you seek require a search for and collection of records from field offices or other separate offices, and thus your request falls within "unusual circumstances." See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). Therefore, the FBI properly determined that "unusual circumstances" apply to the processing of your request.

Furthermore, please be advised that the FBI has informed this Office that the estimated date of completion of your request is June 2021. You may contact the FBI's FOIA Public Liaison at (540) 868-1535 if you wish to arrange an alternative time frame for processing your request or to discuss modification of the scope of your request.

Finally, On the basis of all of the information available to me, I have concluded that your request for a waiver of fees was properly denied. In order to obtain a public-interest fee waiver, you must meet three criteria set forth in 5 U.S.C. § 552(a)(4)(A)(iii). "Disclosure of the requested information must: (1) shed light on 'the operations or activities of the government'; (2) be 'likely to contribute significantly to public understanding' of those operations or activities; and (3) not be 'primarily in the commercial interest of the requester.'" Cause of Action v. FTC, 799 F.3d 1108, 1115 (D.C. Cir. 2015).

With regard to the second criterion for obtaining a fee waiver, you have failed to explain how the records you seek will contribute significantly to the public's understanding of the operations or activities of government. Specifically, in neither your initial request, nor in your appeal letter have you demonstrated that you currently have both the intent and the ability to disseminate the requested records to a reasonably broad audience of persons interested in the subject matter of your request. You merely states that you are "a victim of criminal actions of public corruption in KY of which the DOJ has failed to address." Accordingly, I am affirming the FBI's denial of your fee waiver request.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison

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for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

7/15/2019

  
X

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Matthew Hurd, Associate Chief, for  
Sean O'Neill, Chief, Administrative Appeals Staff  
Signed by: MATTHEW HURD